

25.09.2020
Court No.12
Item No. 04
rpan
Bail Rejected

**CRM 6446 of 2020
with
CRAN 1 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Alipore P.S. Case No. 142 dated 29.11.2019 under Sections 406/409/420/467/468/471/120B of the Indian Penal Code read with Sections 7(a), (b), (c)/7A/8/11/12/13(1)(a)/13(b) of the Prevention of Corruption Act, 1988;

And

In Re : Aniruddha Ghosh

.....Petitioner

Mr. Ayan Bhattacharya,
Mr. Biswanath Chatterjee,
Mr. Sumitava Chakraborty

....For the Petitioner.

Mr. Rana Mukherjee,
Ms. Sujata Das

...For the State.

Heard the learned advocates appearing on behalf of the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application, being CRAN 1 of 2020, is disposed of.

It is submitted on behalf of the petitioner that he is in custody for more than eight months and investigation is complete. The co-accused persons are on bail.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was the former Nazir in the district judgeship of South 24-Parganas at Alipore. He was responsible for awarding tenders for supply of goods to the judgeship. The petitioner had floated fictitious companies which were controlled by him and had awarded tenders to those companies to cause wrongful gain to himself.

We have considered the materials on record. The petitioner appears to be the central character in the conspiracy hatched to swindle public money. In view of the pivotal role played by the petitioner in the alleged crime, we are of the opinion that he does not stand on the same footing with the co-accused persons, who have been granted bail. That apart, the offence relates to corruption and misappropriation of public funds with regard to administration of justice. Keeping in mind the gravity of the offence and the principal role played by the petitioner therein, we are not inclined to grant bail to the petitioner at this stage.

The application for bail, being CRM No. 6446 of 2020, is accordingly rejected.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)