

07.03.2022

Court No.32
rpan /33

CRM (DB) 291 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Haroa Police Station Case no.424 of 2021 dated 08.10.2021 under Sections 409/406 of the Indian Penal Code, 1860;

And

In Re : **Soumik Mallick**

- Petitioner.

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Mr. Anamitra Banerjee
... for the petitioner.
Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta
... for the State.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for more than 150 days. Upon completion of investigation charge sheet has been submitted and charges have also been framed. The entire case is based on documentary evidence. All documents have already been seized. In the said conspectus, there is no requirement for further detention of the petitioner. He further submits that a disciplinary proceeding has also been initiated against him and the same is still pending.

Mr. Roy Chowdhury, learned advocate appearing for the State opposes the petitioner's prayer and submits that there is a confessional statement of the petitioner on record to the effect that he had misappropriated an amount of above rupees thirty-two lakh.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, the matter involves misappropriation of public money above Rs.32,00,000/-. There is a confessional statement of the petitioner on record pertaining to such misappropriation. Considering the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application for bail, being CRM (DB) 291 of 2022 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)