C.R.M. (DB) 818 of 2023

53 (AD) 01.03.2023

Court No.29

(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Tamluk** P.S. Case No.**379** dated **12.05.2022** under Sections **420/406/409/467/468/471/472/473/474/475/477A** of the Indian Penal Code; (subsequently charge sheet has been submitted under Sections **420/406/409/467/368/471/472/473/474/475/477A/120 B/413** of the Indian Penal Code, (corresponding to G.R. Case No.1387/2022) (corresponding to S.C. Case No.445/2022).

And

In the matter of: Amit Sahoo

....petitioner.

Mr. Ayan Basu
Mr. Sourav Bera
Mr. Sumit Routh

...for the petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... for the State.

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 180 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required.

Learned Advocate for the petitioner submits that one co-accused was granted bail. So far as the petitioner is concerned, there is no material to connect the petitioner with the alleged crime. He submits that the police obtained opinion of handwriting expert and such opinion states that, the handwriting of such document was not that of the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the statements and the materials in the case diary. He submits that, there are 164 statements of victim claiming that the petitioner obtained money from them on the ostensible plea of depositing such money with the bank. The petitioner actually misappropriated such fund. Petitioner issued fake receipts for the money so received. When the complaint was lodged and investigations commenced, petitioner fled away. He submits that a sum in excess of Rs.2 crores of public money stands defalcated at the behest of the petitioner. The petitioner is the kingpin of the racket.

There are materials in the case diary implicating the petitioner in the incident.

Apparently, the petitioner was engaged in collecting money on the ostensible plea of depositing the same with the bank. He did not deposit the same with the bank. The account holders were issued fake receipts. A sum in excess of Rs.2 crores is involved.

Considering the complicity of the petitioner and the gravity of the offence, we are unable to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 818 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)