

13.04.2023
Sl. No.55
akd
[Rejected]

C. R. M. (DB) 1478 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.04.2023 in connection with Bhagwangola Police Station Case No.12 of 2023 dated 06.01.2023 under Sections 409/420/379/34 of the Indian Penal Code. (G.R. Case No.67 of 2023)

And

In Re: ***Rajib Das***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioner that he was the complainant and has been falsely implicated. Co-accused have been enlarged on bail. Accordingly, he prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner was in charge of the firm which had been entrusted with the duty of manning ATM points of a bank. Misappropriations were made at the ATM points. Money has been recovered from his possession.

We have considered the materials on record. Petitioner was entrusted by the firm which was in charge of manning ATM points on behalf of a bank. He in collusion with others misappropriated money at the ATM points. In order to hide his misdeeds he lodged complaint with police. After his complicity had transpired during investigation, he was arrested. He appears to be the principal player in the entire racket. Co-accused who have been enlarged on bail are mere employees. They do not stand on the same footing with the petitioner. In view of the primary

role played by the petitioner in the misappropriation and nature of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)