

18.04.2023

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rejected

C.R.M. (DB) No. 1536 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur Police Station Case No. 346 of 2021 dated 18.09.2021 under Sections 406/420 of the Indian Penal Code and subsequently charge-sheet submitted under Sections 406/420/413/419 of the Indian Penal Code and Sections 66/66C/66D/71 of the Information Technology Act.

And

In Re : Swapan Kumar Maji @ Majhi petitioner

Ms. Jeenia Rudra

... for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

... for the State

Learned Counsel for the petitioner submits he is in custody for 435 days. It is also submitted co-accused are on bail. There is no possibility of trial concluding in the near future. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the HR Manager of the company. He recruited the callers who induced innocent persons to invest in fraudulent schemes.

We have considered the materials on record. Petitioner played a pre-dominant role in the organized crime of cheating individuals to invest in fraudulent schemes. He does not stand on the same footing with co-accused who were mere employees/callers and have been enlarged on bail. Trial is in

progress. There is possibility that the petitioner may commit similar offences in future if he is released on bail.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is requested to proceed with trial with utmost expedition and complete the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

Parties shall communicate the order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)