

16.10.2023
Sl. No.61
akd
[Rejected]

C. R. M. (DB) 4038 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.10.2023 in connection with Islampur Police Station Case No.378 of 2023 dated 06.06.2023 under Sections 381/420/406/468/471/34 of the Indian Penal Code. (G.R. Case No.1674 of 2023)

And

In Re: ***Prabal Gurung***

... .. Petitioner

Mr. Amit Roy

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is the Branch Manager of the finance company. It is further submitted no recovery was made from his possession. Co-accused have been enlarged on bail. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner is the Branch Manager and was entrusted with the gold packets pledged with the company. He misappropriated the gold running over Rs.9 crores.
3. We have considered the materials on record. Petitioner was the Branch Manager and was entrusted with the gold packets pledged with the company. He does not stand on the same footing with co-accused who have been enlarged on bail. Gold valued over Rs.9 crores was misappropriated by him. In view of gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

