

22.12.2023.
26.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4730 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur P. S. Case No.395 of 2023 dated 21.09.2023 under Sections 365/448/323/419/307/364A/395/397/506/120B of the Indian Penal Code.

In the matter of : **Sk. Sahir Mohammad & Ors.**

... Petitioners.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Kusal Kr. Mukherjee,
Mrs. Suchismita Dutta.

...for the Petitioners.

Mr. Debasish Roy, Id. P.P.,
Mr. Arijit Ganguly,
Ms. Mamata Jana.

...for the State.

1. Petitioners contend they have been falsely implicated in a case involving commercial transaction. They are in custody for 90 days. There is no chance of abscondence. Accordingly, they pray for bail.

2. Learned Public Prosecutor opposes the bail prayer. Petitioners conspired with each other and kidnapped the victim, a Myanmar student, in order to extort monies from a Myanmar trader. Petitioners have been identified in T. I. Parade by the roommate of the victim. It is contended victim was detained in the business premises of the petitioner No. 1 and he was compelled to make false statements which was recorded on the video.

3. We have considered the materials on record. Allegations involve kidnapping the victim in order to extort money from a businessman. Nature of the crime partakes

an organized crime activity. T. I. Parade sheet shows petitioners were identified as the abductors.

4. In view of gravity of offence and *prima facie* involvement of the petitioners therein, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioners is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)