

03.07.2023  
Item no.24.  
Court No.01.  
S. De  
(Rejected)

**Circuit Bench of Calcutta High Court**  
**at Jalpaiguri**

**CRM (DB) No. 283 of 2023**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 06.06.2023 in connection with Siliguri Police station Case No. 43 of 2023 dated 18.01.2023 under Sections 365/376D/387/120B of the Indian Penal Code.  
And

**In the matter of : Dipa Das                      .....Petitioner.**

Mr. Hillol Saha Poddar,  
Mr. Mousumi Das,  
.....for the Petitioner.

Mr. Nilay Chakraborty,  
Ms. Sukanya Adhikary, .....for the State.

Heard learned advocate for the petitioner and the  
learned advocate for the state.

It is contended on behalf of the petitioner that considering the fact that the present accused petitioner being a lady is not the principal accused, the instant application for bail may be considered favourably.

While opposing the prayer for bail, learned advocate for the State draws attention of this Court to the statement of the victim as recorded under Section 164 of the Code of Criminal Procedure wherefrom it appears that the present accused petitioner is found to be the kingpin of the racket. In view of such position,

we are not inclined to exercise our discretion under Section 439 of the Code of Criminal Procedure.

The application for bail is, accordingly, rejected at this stage.

CRM (DB) 283 of 2023 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Partha Sarathi Sen, J.)**

**(Arijit Banerjee, J.)**