

AD-10
Ct No.01
Jalpaiguri
13.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 495 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **17.08.2023** in connection with **Siliguri** Police Station Case No. **43** of **2023** dated **18.01.2023** under Section **365/376D/387/120B of the IPC.**

And

In the matter of: ANUP ROY

.... petitioner

Mr. Koushik Chakraborty
Mr. Swarup Das
Mr. Subhasish Misra

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioner submits that the petitioner is in custody for 32 days. Charge-sheet has already been submitted and trial is on way. It is further submitted that there was a delay of about 7 days in lodging the complaint, which vitiates the allegations against the petitioner.
2. Learned counsel for the State opposes the prayer for bail and contends that by an order dated September 12, 2023 (yesterday), this Bench had refused the prayer for bail of another co-accused.

3. That apart, it is submitted that money trail was established to the petitioner. Keeping in view the gravity of the alleged offences and the apprehension that the petitioner might engage in similar action if released, since there are allegations of acceptance of money against the petitioner and also that the petitioner may be a member of a racket, we are inclined to refuse bail.
4. Accordingly, CRM (DB) 495 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)