

151.
Court
No.6

21.05.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1524 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Haldia Police Station Case No. 146/2023** dated **11.09.2023** under Sections **406/409/420//467/468/471/120B** of the Indian Penal Code.
And
In the matter of: - **Prasanta Kumar Benia @ Prasanta Kr Benia**
...petitioner.

Mr. Avik Ghatak, Adv.,
Mr. Abhinav Rakshit, Adv.
...for the petitioner.

Mr. Subhomoy Bhattacharya, Adv.,
Ms. Jonaki Saha, Adv.
...for the State.

It is stated by the petitioner that he is completely innocent and has been falsely implicated in the case.

It is further submitted that the accused-petitioner is in custody for a considerable period of time and in the meantime investigation has been completed and chargesheet has been submitted. Therefore, there is no need for further custodial detention of this accused-petitioner for the sake of interrogation.

Learned Advocate appearing on behalf of the State opposes the prayer for bail and submits that there are sufficient incriminating materials which indicate *prima facie* involvement of this accused-petitioner in the alleged offence. The accused-petitioner has criminal antecedents and if the accused-petitioner is released on bail at this stage, there is every possibility of the

progress of the trial being hampered. Therefore, he prays for rejection of the bail prayer.

We have heard learned Counsel for both parties and perused the material placed before us at the time of hearing. Although the investigation process has been completed by submitting chargesheet, yet the offence involved in this case is serious in nature. There are materials in the case diary which show *prima facie* involvement of this accused-petitioner in the alleged offence.

Having considered the material placed before us and the arguments advanced on behalf of both the parties as also considering the seriousness of the offence, we are not inclined to grant bail to the petitioner, at this stage.

Accordingly, the prayer for bail is hereby rejected.

The application being CRM (DB) 1524 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)