

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**06.03.2024
Court No.1
(D/L 05)
(AK)**

CRM (DB) 31 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kotwali Police Station Case No.262 of 2022 dated 30.04.2023 under Sections 409/419/420/468/471/201/120B of IPC.

And

In the matter of: **Arinjit Ghosh @ Tinku**

... Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Sayantani Das

...for the petitioner.

Mr. Saikat Chatterjee
Mr. Chattu Roy

...for the State.

1. Considering the gravity of the offence, namely, that the petitioner allegedly created fictitious accounts for disbursement of pension and siphoned off a substantial amount of money from the pension accounts of the Jalpaiguri Municipality, we are not inclined to allow the prayer for bail.
2. We are, however, concerned that despite the charge sheet being submitted in May, 2023, the prosecution has failed to frame the charges till date.

3. Hence, while we reject the prayer for bail, we direct the Learned Additional Session Judge 2nd Court at Jalpaiguri, to expedite the trial as far as possible under the circumstances and show progress in the trial.
4. We are informed that the prosecution has issued a Warrant of Arrest against seven of the co-accused and have conducted raids pursuant to that, the last of which was carried out in December, 2023. The prosecution has therefore not done enough in pursuance of the case.
5. We hence give liberty to the petitioner to approach the court for appropriate orders if the prosecution continues to fail in its duty and no progress in the trial within six months from today.
6. CRM (DB) 31 of 2024 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)