

CRM (DB) 432 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baguihati P.S. Case No. 231 of 2024 Dated 16.04.2024 under Sections 343/366B/368/370/372/373/120B of the Indian Penal Code read with Section 5 of the Immoral Traffic (Prevention) Act..

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In the matter of : Samir Roy @ Deepak @ Dipak.

.... Petitioner.

Mr. Shekhar Kr. Basu, Sr. Adv.,
Mr. Abir Ranjan Neogi,,
Mr. Karan Bapuli
... For the Petitioner.

Mr. Anand Keshri,
Mr. Rahul Ganguly, ... For the State

Mr. Sibangi Chattopadhyayfor the Victim
(Through Legal Aid)

Order dictated by Prasenjit Biswas, J.

1. It is said by the learned Advocate appearing on behalf of the accused petitioner that this petitioner has been falsely entangled with the crime. The investigation of the instant case is complete and the trial has commenced and vital witnesses have been examined. The instant case has been maliciously foisted upon the petitioner although the petitioner has/had no connection with the instant case. Therefore, no purpose will be served by detaining this accused petitioner behind the bar.
2. Learned Advocate for the State raises objection by submitting that there are sufficient incriminating materials in the case diary which show about prima facie involvement of this accused petitioner with the alleged offence. Witness action has begun and if at this stage this petitioner is enlarged on bail then there is every possibility of tampering of evidence.

3. Learned Advocate on behalf of the victim girl enters appearance in this case.
4. Perused the materials on record. We have gone through the documents which were collected by the Investigating Agency during course of investigation. We have perused the depositions of the witnesses as adduced by the side of the prosecution till date. Offence involved in this case is serious in nature. Keeping in mind the complicity of this petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail.
5. CRM (DB) 432 of 2025 is dismissed.
6. Needless to say that all observations made in this order are only for the purpose of disposing of this bail application and shall not have any bearing on the trial.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)