

12.12.2025

Item No.28

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1783 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Harishchandrapur Police Station Case No. 315 of 2023 dated 12.04.2023 under Sections 406/409/420 of the Indian Penal Code, 1860 (G.R. Case No. 1002 of 2023).

And

In Re : **Shital Modi**

... Petitioner.

Mr. Ranojoy Chatterjee,
Ms. Riya Das

... For the Petitioner.

Mr. Antarikhya Basu,
Mr. Mainak Gupta

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 104 days; investigation of the case has already been concluded and there is no possibility of the trial commencing in near future. As such, the case being based on document, the petitioner may be released on bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the anticipatory bail of the co-accused was rejected by an order dated 24.11.2025 passed by this Hon'ble Court in CRM(A) 3093 of 2025. It was observed in the said order that an agreement was entered into in the year 2021 with the Food and Supplies Department which involved huge amount of paddy. The entire goods were misappropriated and given to

them and the accused persons had apparently influenced one of the earlier investigating officers.

The case is of the year 2023. There were earlier laches on the part of the investigating agency which was detected and subsequently the investigation is being monitored. Thereafter steps have been taken. Misappropriation relating to commitments for supply to the government and public money is involved.

At this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Having considered that the offence under Section 409 of the Indian Penal Code is because of the loss suffered by the Government, consequently the case, if not transferred, be transferred to the learned Special Court. Learned Special Court would exhaust the process of law so far as the absconding accused persons are concerned and thereafter take steps for overcoming the stage of consideration of charges at the earliest.

Petitioner will renew her prayer for bail immediately after the charges are framed.

The application for bail, being CRM (M) 1783 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)