

03.09.2025
Court No.04
Item No.13
Nandita

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 244 of 2025

In Re: - An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: **Khurshid & Ors.**

....PETITIONERS

Mr. Arunava Paul

...for the petitioners

Mr. Ujjwal Luksom,

Mr. Subhasish Misra

....for the State

1. Learned counsel on behalf of the petitioners is present.

2. State is represented.

3. It is said by the learned Advocate for the petitioners that these accused petitioners are in custody since for a considerable period of time. These accused petitioners are completely innocent and has/had got no connection with the offence alleged. So it is said that no purpose will be served by detaining these accused petitioners behind the bar further for sake of custodial interrogation. So, it is prayed that the petition praying for bail filed by the accused petitioners may be allowed.

4. Learned advocate for the State raises objection on submitting that there are several incriminating materials in the record which reflect about prima facie involvement of these accused petitioners with the alleged offence. Moreover, the investigation process is still going on and if at this stage these accused petitioners are enlarged on

bail then there is every possibility of hampering of further investigation of this case.

5. I have considered the rival submissions advanced by both the parties and have gone through all the materials placed by the prosecuting agency at the time of hearing.

6. It appears that the instant case was started on the basis of a complaint lodged by the *de-facto* complainant stating, inter alia, that on the relevant point of time, these accused petitioners allegedly entered into the ATM counter and with help of gas cutter they broke two ATM machines in one premises and looted away the cash amount to Rs.10,42,900/- (Ten Lakh forty two thousand nine hundred only). The offence involved in this case is serious in nature and the investigation process is still going on. Moreover, there are sufficient incriminating materials, showing prima facie, involvement of these accused petitioners with the alleged offence.

7. Having considered the submissions of both the parties and after consultation with the materials placed before the Court, the petition praying for bail is rejected.

8. Accordingly, CRM (M) 244 of 2025 is hereby disposed of.

9. Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(PRASENJIT BISWAS, J.)