

Spl ACB Case No.02 of 2023
Filing No.0157 of 2023
CNR No.- WBCS01-000157-2023

Order No.22
Dated 18.12.2024

Accused Tapan Kumar Ghosh is produced from J/C.

The I.O. has filed a petition praying for an order remanding the accused to judicial custody.

By a separate petition, the I.O. has prayed for permission to interrogate the accused Tapan Kumar Ghosh at Correctional Home.

Ld. Chief P.P. Shri Dipankar Kundu is present.

Ld. Advocate for the accused is also present.

A bail petition is filed on behalf of the accused.

The I.O. is present along with CD.

Heard Ld. Advocates for both the sides on the bail petition.

Perused the CD and other materials on record.

Considered.

It is submitted by the Ld. Advocate for the accused that as the accused cooperated with the investigating agency and complied with the notice u/s 41A of Cr.P.C., his arrest was unwarranted and caused significant hardship to his family. It is submitted that his further detention is unnecessary at this stage as he is willing to cooperate with the investigating agency and accordingly, he prays for bail on any condition. It is further pointed out that there was no further progress in the investigation as regards the involvement of this accused in the alleged offence is concerned.

Ld. P.P. has raised strong objection against the bail prayer and stated that the accused played a major role in misappropriating huge amount of money under the schemes of Samajik Suraksha Yojna, 2017. That investigation revealed that several fraudulent payments towards the Account of some middlemen, closed to the accused, were finally siphoned off to the Account of the accused. From the statement of those Accounts, it reveals that a huge amount was siphoned off. It is submitted that if the accused is enlarged on bail, there will be every chance of influencing other potential witnesses and tampering with the remaining documents to be collected for investigation.

On perusal of the CD, I find sufficient incriminating materials against the accused suggesting his involvement in the case. The investigation is in its initial stage. Considering the nature and gravity of the offence, its social impact, the stage of investigation and the materials so far collected against the accused, I am not inclined to allow the bail prayer.

Accordingly, the bail petition stands rejected.

The accused be remanded to J/C till **08.01.2025 (25.12.2024 to 31.12.2024 being Christmas Vacation and 01.01.2025 being a holiday)**.

The prayer for jail interrogation is allowed. The I.O. is permitted to interrogate the accused Tapan Kumar Ghosh at the Correctional Home.

The I.O. has forwarded a copy of the notice sent to the Regional Head, HDFC Life, Regional Office, Kolkata u/s 102 of Cr.P.C. dated 17.12.2024 regarding seizure of certain policies in the name of the accused Tapan Kumar Ghosh and his wife Sujata Ghosh Kabiraj. Let the same be kept with the record.

To date for production and I.O.'s report.

C.D. be returned.

Let copies of this order be sent to the I.O. and the Superintendent, Presidency Correctional Home for information and compliance.

Dictated & corrected by me.

Judge, Bench – II,
City Sessions Court,
Calcutta.
J.O. Code No. WB00868

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