

85 13.12.2021
(AD)
Court No.28
(Allowed)

**C.R.M. 4752 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj Cyber** P.S. Case No. **28 of 2021** dated **08/05/2021** subsequently registered as **Raiganj Cyber Crime** P.S. Case No.**13 of 2021** dated **15/07/2021** under Sections **419/420/379** of the Indian Penal Code, 1860.

And

In the matter of: Deshanta Goswami

....petitioner.

Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh

...for the petitioner.

Mr. Bivas Chatterjee

...for the State.

Liberty to correct the cause-title of the application.

Petitioner submits that the petitioner has been falsely implicated in the instant case. He is ready and willing to cooperate with the investigation. It is further submitted that the alleged misappropriated amount is lying in the bank of the petitioner.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. We find that the alleged misappropriated amount is lying in the credit of the bank of the petitioner. He is ready and willing to cooperate with the investigation.

Under such circumstances, we are of the opinion that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner while on bail shall meet the Investigating Officer once a week until further orders and that the alleged misappropriated sum shall not be withdrawn from the bank account of the petitioner without the leave of the Court below.

The petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 4752 of 2021 is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)