

13.07.2021
Court No.30
Item No. 05
Krishnendu
Dismissed

CRM 10457 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Prashanta Halder**

Petitioner

Ms. Sananda Bhattacharyya

For the Petitioner

Mr. Bibhas Chatterjee

Ms. Anushree Mondal

For the State

Apprehending arrest in connection with Bidhannagar Cyber Crime Police Station Case No. 116 of 2019 dated 28.11.2019 under sections 406/419/420/120B/34 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Ms. Bhattacharyya, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in respect of a transaction of the *de facto* complainant with Max Life Insurance Company. There is no incriminating material against the petitioner and in view thereof, his custodial interrogation is not necessary.

Mr. Chatterjee, learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and submits that the petitioner is one of the directors of Globex Global Teleshop Private Limited and the said company had allured many senior citizens to pay huge amounts for return of the maturity amount of lapsed policies. He has also drawn the attention of this Court to the cheques issued by the *de facto* complainant in the name of the said company of which the

petitioner is one of the directors. According to him, the documents clearly reveal the direct involvement of the petitioner in the alleged offence and that the petitioner has also not responded to the notice under section 41A as issued .

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the nature of allegations and the extent of involvement of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being CRM 10457 of 2020, is dismissed.

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

(Suvra Ghosh, J.)
J.)

(Tapabrata Chakraborty,