

14.06.2022
cm/ct 28
sl no. 36

C.R.M.(DB) No. 1628 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Ghatal P.S Case No. 116/2021** dated **08.04.2021** under Sections **467/471/473/419/420/406/409/120B/34** of the Indian Penal Code and under Sections 7/7A/8/9/10/11 of the Prevention of Corruption Act.
And

Rejected

In Re : Parthapratim Roy

..... petitioner

Mr. Somopriyo Chowdhury
Mr. Satadru Lahiri
Mr. Safder Azam

..... for the petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Eshita Dutta

..... for the State

Petitioner is in custody for 120 days. Learned Counsels appearing for the petitioner submit he was not named as an accused in the initial charge-sheet. Subsequently, he has been falsely implicated in the instant case. Substantial number of transactions relating to the misappropriated sum were cancelled or reversed and no loss was suffered as such score.

Learned Additional Public Prosecutor appearing for the State opposes the prayer for bail. He submits petitioner is a part of an organized racket who send fraudulent intimations purportedly from Cyber Crime Cell directing fraudulent transactions to be made calling wrongful loss to the tune of a sum over Rs.18 crores. Petitioner was employed with the bank concerned and was responsible in checking the transactions which he intentionally certified as genuine in aid of the conspiracy. A small number of transactions amounting to around Rs.18 lakhs have been reversed.

We have considered the materials on record. Petitioner was an employee of the bank and was entrusted with the duty of validating transactions. Payment to the conspiracy, he certified fraudulent the transactions as genuine coming wrongful loss to the bank.

In view of the prima facie involvement of the petitioner in the alleged crime and in view of the quantum of loss suffered by the bank and short period of detention of the petitioner, we are of the opinion this is not a fit case to grant bail to him at this stage.

The application being CRM(DB) No. 1628 of 2022 is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)