

18.07.2022
Serial no.15
Aloke

CRM (A) 3350 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Jorabagan Police Station Case No. 09 of 2022 dated 07.02.2022 under Sections 120B/406/420/506 of the Indian Penal Code.

-And-

In the matter of : **Rajnish Kumar Singh & Ors.**

... .. Petitioners

Mr. V.K. Dubey, Advocate

Ms. Soumi Chatterjee, Advocate

... .. For the Petitioners

Mr. Madhusudan Sur, Id. APP

Mr. Manoranjan Mahata, Advocate

... ..For the State

Mr. Sandipan Ganguly, Sr. Advocate

Mr. Karan Dudhwewala, Advocate

... .. For the de facto complainant

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. He submits that the petitioners are involved in an offence of cheating. He submits that the de facto complainant entered into an agreement with the petitioners for a franchise. The de facto complainant paid a sum in excess of Rs.48 lakhs by way of RTGS and it is claimed that a portion was paid in cash.

Learned Senior Advocate appearing for the de facto complainant submits that there are criminal antecedents so far as the petitioners are concerned. He submits that petitioner no. 1 was arrested with regard to the Immoral Traffic Act. He submits that although there is a written agreement between the parties neither the franchise was given or the goods supplied nor the money refunded.

It appears from the case diary on prima facie basis that neither goods were supplied nor the franchise given. The money is yet to be refunded.

In such circumstances, we are of the view that there is a requirement of custodial interrogation of the petitioners.

Consequently, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 3350 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)