

14.11.2022  
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rejected

C.R.M.(DB) No. 3874 of 2022

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

And

In Re : Gautam Datta ..... petitioner

Mr. Jayanta Narayan Chatterjee  
Ms. Moumita Pandit  
Ms. Nandini Chatterjee  
Mr. Nazir Ahmed  
Ms. Jayashree Patra  
Ms. Ritushree Banerjee  
Ms. Dipanwita Das

... for the petitioner

Mr. Rudradipta Nandy, learned APP  
Ms. Sonali Das

... for the State

Learned Counsel appearing for the petitioner submits he was the Chief Manger of the Branch. He had been duped by one Rajib Bakshi who personated himself as a Cyber Crime Cell Officer at New Delhi. He accordingly prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits petitioner in conspiracy with Rajib Bakshi misappropriated monies over Rs.18 crores. Examination of prosecution witnesses have commenced. Prayer for bail of co-accuseds was rejected earlier.

We have considered the materials on record. A large number of phone calls were made by and between the petitioner

and co-accused, Rajib Bakshi. Petitioner had also signed on various documents resulting in unlawful transfer of funds which were misappropriated. Whether the conduct of the petitioner was bona fide or a part of conspiracy between himself and the co-accused, Rajib Bakshi, requires to be assessed in the course of trial. Various witnesses including bank officials are to be examined. Bail prayer of co-accuseds including an officer of the bank was turned down by this Court.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

We, however, direct the trial court to conclude the trial as expeditiously as possible and the examination of vulnerable witnesses be concluded within six months from the next date fixed for recording evidence without granting unnecessary adjournments to the either of the parties.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**