

09.02.2023.
09.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 458 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bidhannagar Cyber Crime P.S. Case No.98 of 2022 dated 23.06.2022 under Sections 419/420/467/468/469/471/120B/34 of the Indian Penal Code and Sections 66C/66D of the I. T. Act.

In the matter of : Apu Kumar Shaw.

... Petitioner.

Mr. Debasis Roy,
Mr. Sandip Chakraborty,
Mr. Kaustav Das.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mrs. Sonali Das.

...for the State.

Petitioner is in custody for 180 days. He submits he is no way connected with the affairs of the accuseds' company which allegedly personated as M/s. Microsoft Corporation (a well-known T. T. Company) and cheated foreign nationals. He has been falsely implicated. He prays for bail.

Learned Additional Public Prosecutor opposes the bail prayer. He submits petitioner is a conspirator. He gave valuable information to the co-accused and assisted them to perpetrate the crime. Banking statements show money trail between the petitioner and the company of the co-accuseds.

We have considered the materials on record. The case involves a conspiracy to cheat foreign nationals. It has trans-border impact. Materials on record show the petitioner had monetary transactions with the company under the control of co-accused. Prima facie material placed on record shows the

involvement of the petitioner in the conspiracy. Trial has already commenced. At this stage, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)