

02.08.2023

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rejected

C.R.M.(DB) No. 3059 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uttarpara Police Station Case No. 287 of 2017 dated 01.04.2017 under Sections 418/420/409/120B/467/468/471 of the Indian Penal Code.

And

In Re : Nazim Hassan @ Najim Hasan petitioner

Mr. Navanil De

Mr. Srinjan Ghosh

Mr. Subhrajit Dey

Ms. Monami Mukherjee

....for the petitioner

Mr. Sudip Ghosh

Mr. Koushik Kundu

..... for the State

Learned Counsel for the petitioner submits he is in custody for 124 days. It is also submitted that he had no role to play in misappropriation of money from the account of a co-operative society. Co-accused had dishonestly used his photograph in one of the accounts from which money was diverted. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits e-mail account of the co-operative society had been hacked and a false e-mail was sent to the bank to divert a sum of Rs.60 lakh. Thereafter, petitioner opened a number of fictitious accounts and withdrew money therefrom. Entries in some of the accounts matched with the hand-writing of the petitioner.

We have considered the materials on record. Profile of the crime involves an organised cyber fraud. E-mail of co-operative society had been hacked and a sum of Rs.60 lakh was misappropriated. Petitioner played a pivotal role in opening the fictitious accounts and sluiced away the money therefrom. His specimen writings have matched with the entries in some of the fake accounts. In view of nature of crime and prima facie involvement of the petitioner therein, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)