

29.08.2023

SL. 24
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3396 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Jagacha** Police Station Case No. **299 of 2021** dated **29.10.2021** under Sections **420/406** of the IPC.

And

In the matter of: **Sri Pappu Pandey @ Pappu Mondal**

....petitioner.

Mr. Anujit Mookherji

...for the petitioner.

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharyya

...for the State.

1. Heard learned Counsel for both the parties.
2. In a Cyber fraud the petitioner and his son are alleged to have duped one lady of about Rs. 14 lakhs. In the frozen bank account of the petitioner only Rs. 57/- is left.
3. Learned Counsel for the petitioner submits that the petitioner is a cook elsewhere and his son having access to his Debit card, etc. had done all the mischief.
4. We are not in a position to buy such a defence at this stage.
5. Regard being had to the seriousness of the charge and the gravity of offence, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
6. Accordingly, the prayer for the anticipatory bail is rejected.
7. The application being CRM (A) 3396 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

