

25.09.2023
SL. 20
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3916 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Howrah Cyber Crime** P.S. Case No. **43 of 2022** dated **19.11.2022** under Sections **419/420/406/468/467/120B** of the IPC.

And

In the matter of: **Abhishek Kumar Gaurav**

....petitioner.

Ms. Ananya Sau

...for the petitioner.

Mr. Arani Bhattacharyya

...for the State.

1. Heard learned Advocate for both the parties.
2. About eight lakhs rupees was deposited in the account of the petitioner at Patna through RTGS and about two lakhs rupees has been debited from his account from Delhi.
3. Learned Counsel for the petitioner submits that though the account is in his name, he does not operate the account and he could know about the transaction after receipt of notice under Section 41A Cr.P.C. From the materials on record of the C.D. it is found that 7 to 8 accused persons are involved in the present transaction and the name of the present petitioner appears from the statement of some of the witnesses.
4. This being a cyber crime investigation of which is very technical in nature. We are of the view that custodial interrogation of the petitioner is necessary.
5. In view of such fact, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3916 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

