

06.03.2024
Item No.32
Ct. No. 29
CHC
Rejected

C.R.M.(A) 388 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Phoolbagan** Police Station Case No. **110** of **2023** dated **16.06.2023** under Sections **420/406/120B** of the Indian Penal Code, 1860 along with further added Sections **419/467/468/471** of the said Code, 1860.

And

In the matter of : Jitendra Singh

..... petitioner

Mr. Phiroze Edulji,
Mr. Niladri Bhattacharjee,
Mr. Soham Banerjee,
Mr. Aditya Chaturvedi,
Mr. Anant Sanghi
....for the petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Baishakhi Chatterjee
....for the State

Mr. Sandipan Ganguly, Ld. Senior Advocate
Mr. Billwadal Bhattacharyya,
Mr. Suryaneel Das,
Mr. Chiranjit Pal,
Mr. D. Singh
....for the de facto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. He refers to an e-mail in this regard which is not part of the petition.

Learned advocate appearing for the State refers to the materials in the Case Diary. He submits that, name of the petitioner transpires from the investigation. The role of the petitioner requires investigation. He refers to the order of rejection dated October 11, 2023 passed in CRM(A) 4073 of

2023 which rejected the prayer for anticipatory bail of the co-accused.

Learned advocate appearing for the de facto complainant opposes the prayer for grant of anticipatory bail. He submits that, role of the petitioner in the incident requires investigation.

Police complaint relates to transaction taking place on a digital platform under the named and style of PayTM. Reserve Bank of India intervened with regard to such legal entity.

Materials in the Case Diary suggest involvement of the petitioner in the incident.

Coordinate Bench while rejecting prayer for anticipatory bail of the co-accused noted that the police complaint involved was complex in nature and it requires investigation.

There subsist an order of granting interim protection to the co-accused. Petitioner's prayer for anticipatory bail was rejected by the order dated October 11, 2023 passed in CRM(A) 4073 of 2023. Such interim protection was granted by the Hon'ble Supreme Court on November 22, 2023 passed in SLP Criminal No.14811 of 2023.

None of the appearing parties could apprise this Court on the orders if any, passed by the Supreme Court subsequent to the order noted above.

Be that as it may, involvement of the petitioner in the police complaint transpiring from the materials in the Case Diary requires investigation. Enlarging the petitioner on anticipatory bail will be inimical to such investigation.

Consequently, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 388 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)