

16.01.2024
29
Ct.No.28
as

C.R.M. (DB) 1298 of 2023

In Re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

In Re : The State of West Bengalpetitioner

Mr. Rudradipta Nandy, learned APP
Ms. Sonali Das

..... for the State/petitioner

Mr. Shovan Ghosh
Mrs. Chirantani Ghosh

.... for the opposite party
Nos.2 & 5.

Mr. Amajit De
Ms. Shakshi Rathi
Mr. Pratik Acharyee

.... For the opposite party no.4

1. Petitioner/State has sought cancellation of bail against opposite parties/accused. It is contended they were members of an organized racket and cheated various individuals through cyber fraud.

2. Learned Advocate for the opposite parties/accused except opposite party No.3, Navnath Rangnath Kasalwar have been served with notice.

3. Learned Advocate for opposite parties/accused submits they have duly complied with the conditions of bail.

4. We have considered the materials on record. The said opposite parties were in custody for various periods of time. Considering the relevant facts and the extent of

their involvement in the crime, they had been enlarged on bail. Thereafter, they had complied with the conditions of bail.

5. Accordingly, we are not inclined to interfere with the liberty granted to the said opposite parties.

6. However, opposite party No.3, Navnath Rangnath Kasalwar has absconded and is untraceable. State was unable to serve notice upon him directly or through his surety. Warrant of arrest has been issued.

7. Under such circumstances, application for cancellation of bail is allowed so far as the opposite party No.3, Navnath Rangnath Kasalwar is concerned in CRM (DB) 1298 of 2023.

8. Warrant of arrest shall be executed in accordance with law at the earliest.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)