

D/L. 20.
May 28, 2024.
MNS

CRM (A) 1878 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 20th May, 2024 in connection with Basirhat Police Station Case No. 01 of 2024 dated January 23, 2024 under Sections 419/420/406/120B of the Indian Penal Code.

And

In Re:- Abhisek Samanta

... Petitioner

Mr. Sayan Chattopadhyay,
Ms. Trisha Rakshit,
Mr. Ivan Sarkar

... for the petitioner

Mr. Rudradipta Nandy,
Mr. Arindam Sen,
Ms. Trina Mitra

...for the State

1. Leave is granted to the learned Advocate-on-record of the petitioner to amend the cause title and prayer portion of the application for anticipatory bail.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a retail partner of reputed insurance companies. The petitioner is not an FIR named accused. Even the amounts allegedly defalcated were recovered from someone else's bank account. There was no monetary transaction whatsoever to link the present petitioner. Moreover, most of the arrested accused are on bail.

3. Learned Additional Public Prosecutor relies on the case diary and submits as follows. The petitioner used to run a call centre and engage people to dupe investors in different financial schemes. He also procured bank accounts from poor people, where they used to park the defalcated sums. For instance, one complainant got a call from one Axis Finance and about Rs. 28 laks were taken. These sums were parked into different bank accounts and thereafter, taken out. This is an organized crime, which involves a total sum amounting to more than Rs. 5 crores.
4. Heard learned counsels for the parties and perused the case diary.
5. There are several statements of witnesses that take the name of the petitioner. For instance, there is a statement of one such bank account provider and his corresponding bank statements.
6. In view of the above, we do not find that this to be a fit case for granting anticipatory bail.
7. Accordingly, CRM(A) 1878 of 2024 is dismissed.

(Uday Kumar, J.)

(Jay Sengupta, J.)