

21.06.2024

Court No.29

Item No. 15

Rejected

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CRM (A) 2050 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Basirhat Cyber Crime Police Station Case No. 01 of 2024 dated 23.01.2024 corresponding to G.R Case No. 257 of 2024 under Sections 419/420/406/120B of the Indian Penal Code.

And

In Re: **Surya Sen**

Petitioner

Mr. Pritam Roy
Mr. Soewel Bhattacharjee
Mr. Triparna Roy

For the Petitioner

Mr. Bibaswan Bhattacharya
Mr. Jonaki Saha

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and he is not the person named in the F.I.R. There was no monetary transaction to link the present petitioner. Moreover, most of the arrested accused persons are on bail.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has submitted that the petitioner is an employee of one of the Call Centers, which are involved in luring investors to invest in different financial schemes. The attention of the Court is drawn to the orders passed by coordinate benches in which one of us (Uday Kumar, J.) was party. Both the orders passed on 20th May, 2024 in CRM (A) 1877 of 2024 (In re: Rohan Nag) and in CRM (A) 1878 of 2024 (In re: Avishek Samanta).

3. In view of the fact that the petitioner is similarly placed as that of the persons whose application for anticipatory bail was rejected by a coordinate bench, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected and the same is accordingly disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)