

18.09.2024
AD-18
Court No.29
TN

CRM (A) 3330 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 (as amended till date) corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (as amended till date) filed in connection with Bidhannagar Cyber Crime Police Station Case No. 61 of 2024 dated 26.03.2024 under Sections 419/420/406/120B of the IPC, 1860.

And

In the matter of: **Omor Faruk Gain**

.... petitioner

Mr. Surajit Basu,
Mr. Isteyak Ahmed

....for the petitioner

Mr. S.S. Imam,
Ms. Purnima Ghosh

....for the State

1. The learned counsel for the petitioner submits that the dispute between the petitioner and the *de facto* complainant has been settled and in view thereof, the prayer for anticipatory bail may be allowed.
2. The learned counsel for the State in opposing the prayer has submitted that there are incriminating materials against the petitioner of running a racket of alluring investors to invest online and thereby defrauding them.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the nature of the allegation which involves running a racket of online trading and investment by which the investors are targeted with a false promise of hefty returns, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)