

09.01.2024

Serial no. 194
Anticipatory bail
[Rejected]
Dd

CRM (A) 4667 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ghatal** Police Station Case No. **284** of **2023** dated **24.08.2023** under Sections **406/420/34** of the Indian Penal Code, 1860.
(G.R. Case No. 917 / 2023)*

-And-

In the matter of : **Malay Krishna Das**
... ..**Petitioner**

Mr. Manish Biswas, Advocate
... .. For the Petitioner

Mr. Saibal Bapuli, APP
Mr. Aruni Bhattacharyya, Advocates
... ..For the State

*Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha, Advocates
... ..For the de facto complainant*

Petition is taken up for consideration subsequent to order dated October 17, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary.

Petitioner, State and the de facto complainant are represented.

Learned advocate appearing for the petitioner submits that the petitioner purchased crypto currency by utilising the money received from the de facto complainant, in a Company which was subsequently found to be non-existent.

We find from the records that money was given to the petitioner by the de facto complainant. Such money is yet to be refunded. Goods which was sought to be purchased by utilization of such money was also not delivered to the de facto complainant.

Materials in the case diary suggest requirement of investigation.

Enlarging the petitioner on anticipatory bail at this stage will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order granted on October 17, 2023 or grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 4667 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)