

25.11.2024  
Sl. No.5  
**akd**  
[Rejected]

**C. R. M. (A) 3719 of 2024**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 01.10.2024 in connection with Bidhannagar Cyber Crime Police Station Case No.204 of 2022 dated 21.12.2022 under Sections 420/406/468/120B/34 of the Indian Penal Code. (G.R. Case No.1241 of 2022)

And

In Re: **Abhijit Das**

... .. Petitioner

Mr. Mukunda Lal Sarkar  
Mr. Soumik Ganguly  
Mr. Sibendu Dey

... .. for the petitioner

Mr. Subhamoy Bhattacharya  
Mr. Debarshi Brahma

... .. for the State

1. It is submitted on behalf of the petitioner that he is in no way involved in the offence of hacking the account of '*M/s. Fewer Online Services Pvt. Ltd.*' and misappropriating funds. His account was used by one Biswajit Ballav for parking the money. Coming to know of this fact, petitioner reverted the transaction. He has cooperated with investigation. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State places on record report of investigation. Report shows a number of persons had entered into a conspiracy to hack the account of '*M/s. Fewer Online Services Pvt. Ltd.*' - a company involved in making online transfers between business to business. Misappropriated sums were parked in the accounts of the petitioner. Though petitioner has reverted the amount credited by one Biswajit Ballav in his account, another account created on the basis of fake documents was also used to siphon away the funds.

3. In response, learned Advocate for the petitioner submits the other account is frozen.

4. We have considered the materials on record. Allegations disclose a conspiracy amongst the accused to hack the account of an online business platform viz. '*M/s. Fewer Online Services Pvt. Ltd.*' Materials on record show petitioner was involved in siphoning the funds. Two of his accounts, one of which was created on the strength of fake documents, were utilized to siphon away the funds. Subsequent freezing of the account did not help the Investigating Agency to trace out and block the money. Some of the co-accused are still absconding. Custodial interrogation of the petitioner to trace out the money and track the co-accused is necessary. Hence, we are not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**