

D/L42
28.11.2024
Bpg.
ct.no.35

W.P.A.26491 of 2024

**Mithun Mali
Versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Abhradeep Mukherjee
Mr. Sabab Uddin Laskar.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mr. Jagabandhu Roy.
...for the State-respondents.

Ms. Sony Ojha
Ms. Sambrita B. Chatterjee.
...for the respondent no.5.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner is aggrieved by the fact that his
account has been frozen by the ICICI
bank/respondent no.5.

Learned advocate appearing for the State
submits that there is a case being Bidhannagar
Cyber Crime Police Station Case No.212 of 2024
dated 04.09.2024 wherein direct complicity of the
petitioner has surfaced and there has been transfer of
money in the account.

Learned advocate for the Bank Authorities
submits that they have also received information from

Kerala Ernakulam Central Police Station for freezing the account.

Having considered the complicity of the petitioner, at the present stage in both the case, I am not inclined to interfere with freezing order so passed. However, since the investigating officer is to report before the jurisdictional criminal court, petitioner would be at liberty to take out an appropriate application before the concerned Magistrate in seisin of the matter. Learned Magistrate will call for a report from the investigating officer and thereafter exercise his discretion in accordance with the provisions of law.

With the aforesaid observations, WPA 26491 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted by the State as well as the Bank be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)