

27.11.2024

Sl. No.16

akd

[Rejected]

C. R. M. (A) 4048 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 12.11.2024 in connection with Asansol Cyber Crime Police Station Case No.73 of 2024 dated 03.09.2024 under Sections 406/419/420/120B of the Indian Penal Code corresponding to Sections 316(2)/319(2)/318(4)/61 of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.2556 of 2024)

And

In Re: ***Sandip Mondal & Anr.***

... .. Petitioners

Mr. Susnigdho Bhattacharyya

... .. for the petitioners

Mr. Subhamoy Bhattacharya

Mr. Asif Dewan

... .. for the State

1. It is submitted on behalf of the petitioners in course of a commercial transaction, de-facto complainant invested in their firm. Ingredients of the offence of cheating and criminal breach of trust are not disclosed. Petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioners portrayed themselves as employees of 'M/s. Bharat Pay Pvt. Ltd.' – a firm rendering services to its clients through payment of bills etc. They were initially carrying on business under the name and style of 'M/s. Annex Data Service'. Subsequently they changed their name to 'M/s. Icchhamati Data Service Pvt. Ltd.'. Under the garb of rendering assistance in payment of bills, petitioners induced a number of unsuspecting persons to hand over money to them which they

misappropriated. Corpus of misappropriation unravelled till date runs to crores of rupees.

4. In view of the role of petitioners in the organized crime racket of duping innocent persons running to crores, we are of the opinion custodial interrogation in order to unravel the ramification of the crime and recovery of stolen money is necessary. Hence, we are not inclined to grant anticipatory bail to the petitioners.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)