

05.02.2025

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Allowed

C.R.M. (A) No. 161 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Chanditala Police Station Case No. 635 of 2024 dated 10.08.2024 under Sections 420/406 of the Indian Penal Code.

And
In Re : Vikram Dubey petitioner

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdaus
Md. Zeeshan Uddin
Md. Armmar Zaki
Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan

.....for the petitioner

Mr. Rudradipta Nandy, learned APP
Ms. Nahid Ahmed
....for the State

1. Learned Counsel for the petitioner submits he had *bona fide* transactions with one 'M/s. Das Enterprise'. He has been falsely implicated in the case. He prays for anticipatory bail.

2. In light of the aforesaid submission we directed the petitioner to co-operate with investigation.

3. Learned Additional Public Prosecutor submits the report along with case diary. In the FIR it is alleged *de facto* complainant had made online application for loan. He received phone calls from two mobile numbers requesting him to share Aadhaar and personal details. He did so. Utilizing the said particulars a fictitious firm, namely 'M/s. Das Enterprise' was

set up to defraud the Government by claiming fraudulent input credit under GST. Petitioner is the proprietor of one '*M/s. Sai Creation*' and it is alleged his firm has entered fictitious transactions with the said '*M/s. Das Enterprise*' to dishonestly claim input credit. During investigation petitioner has disclosed the identity of the person responsible for the transactions and has also reversed them in the GST portal.

4. In light of the aforesaid developments, we are of the opinion there is no possibility of wrongful loss in respect of reported fake transactions entered between the petitioner's firm and '*M/s. Das Enterprise*'. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he shall meet the investigating officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)