

18.03.2025
Item No.53
Ct. No. 26
CHC
Rejected

C.R.M.(A) 847 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Cyber Crime Police Station, Ribandar, Goa** Case No. **01** of **2025** dated **13.01.2025** under Sections **318(4)/319(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and Section 66D of the Information Technology Act, 2000.

And

In the matter of: Baishali Dutta

..... petitioner

Mr. Niladri Sekhar Ghosh, Advocate
Ms. Rupsha Mukherjee, Advocate
Ms. Sompurna Chatterjee, Advocate
Ms. Laboni Sikdar, Advocate
Mr. Souvik Dey, Advocate
....for the petitioner

Mr. Suman De, Advocate
Ms. Nandini Chatterjee, Advocate
....for the State

1. Petitioner prays for transit bail.
2. Learned advocate appearing for the petitioner submits that, the petition is a lady and is engaged in a car business. Account of the petitioner was misutilized by one of her close friends. Police complaint was lodged. Learned advocate appearing for the petitioner relies upon **(2024) 4 Supreme Court Cases 749 (Priya Indoria versus State of**

Karnataka and others) for the proposition as to when, transit bail can be granted. He submits that, once transit bail is granted the petitioner will approach the jurisdictional Court for appropriate relief.

3. In the midst of dictating the order, after hearing the parties at length, learned advocate appearing for the petitioner submits that the petitioner does not want to press this application.
4. Learned advocate appearing for the State refers to a communication dated March 15, 2025 received from the Police Inspector of Cyber Crime Police Station of Ribandar, Goa. He submits that, it appears from such communication that a sum in excess of Rs. 2,44,59,408/- was involved in the Cyber Crime with amount of Rs.45 Lakh being deposited in the account of the petitioner and such sum being transferred from such account.
5. There is a writing at the behest of the petitioner sent to the Commissioner of Police, Lalbazar under registered post complaining that a coaccused in the present police case allegedly defrauding the petitioner before us and make her part with her mobile phone SIM as well as the bank account details.
6. Cyber Crime in excess of Rs.2.44 crores is involved. First Information Report with regard to cyber crime was

registered in Goa. Police from Goa came to visit the petitioner for investigation.

7. Complaint to the Commissioner of Police of the petitioner records that Goa police personnel visited her. There remains an issue as to whether or not the complaint to the Commissioner of Police by the petitioner is an afterthought.
8. At this stage, it is difficult to accept that a person engaged in business will make over the mobile phone SIM of her coupled with the bank account details to a person who is not a family member. It is also difficult to accept that, a sum of Rs. 45 Lakhs would credited into the account of a person who doing on business and such sum will be extracted out of such account without such person dealing in business not being aware of the same.
9. **Priya Indoria (supra)** is not an authority for the proposition that, a request for transit bail cannot be denied if the fact scenario warranted it.
10. Materials on record presently available makes out a case for investigation.
11. Involvement of the petitioner is apparent in the crime alleged. Granting protection to the petitioner would be inimical to the investigation.
12. In such circumstances, we are not inclined to grant transit bail to the petitioner.

13. CRM(A) 847 of 2025 is thus dismissed.

(Debangsu Basak, J.)

(Smita Das De, J.)