

D/L30 & 34

17.03.2025
Rohit
ct.no.26

C.R.M. (A) 906 of 2025

With

C.R.M. (A) 910 of 2025

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/ under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection Belur Police Station Case No. 124 of 2024 dated 09.07.2024 under Sections 420/406 of the Indian Penal Code.

And

In Re: **1.Bijoy Kumar Gupta @ Vijay Gupta**

2. Manish Gupta

3. Swati Gupta

...Petitioners

Mr. Swarup Banerjee
Mr. S. Siddharta
Mr. Arindam Chatterjee
Mr. S. Biswas

...for the petitioner

Ms. Saryati Dutta
Ms. Suchismita Dutta

...for the State

Mr. Dipanjan Dutt
Ms. Priyanka Sarkar

...for the defacto
complainant

1. Two applications for anticipatory bail are taken up for analogous hearing as they emanate out of the same police case.
2. Learned Advocate appearing for the petitioners submits that the disputes are civil in nature. Money was taken for the purpose of supply. His client returned a large portion of the money.
3. State and the defacto complainant are represented.
4. Learned Advocate appearing for the State submits that the petitioners before us are involved in several criminal cases where they on their own or through the facet of a legal entity defrauded

various members of the public on the plea of supply of materials.

5. Learned Advocate appearing for the defacto complainant submits that a sum in excess of Rs. 87,000,00/- lakhs was taken by the petitioners for the purpose of supply of iron ores. Fake documents were submitted. In fact, even the deposit with the government authorities in the form of GST was fake also.
6. There are several criminal antecedents so far as the petitioners are concerned. Apparently, they are involved in a racket of defrauding unsuspecting members of the public either by themselves or through the facet of their legal entities. They obtain money from the members of the public on the plea of supply of materials which ultimately never materializes.
7. Entirety of the proceeds of the crime is yet to be recovered. Enlarging the petitioners would be inimical to the investigations.
8. Considering such materials on record, the gravity of the offence and the involvement of the petitioners we are not inclined to grant anticipatory bail to the petitioners.
9. Accordingly, the application for anticipatory bail is, thus, rejected.

(Debangsu Basak, J.)

(Smita Das De, J.)