

21/08/2025

D/L 37

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2254 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Cyber Crime police station case no. 14 of 2025 dated 26.5.2025 under sections 319(2)/318(4)/316(2)/61(2) of the BNS.

In the matter of: Md. Faquddin Ahamed

... Petitioner

Mr. Shounak Mondal
Mr. Shandeep Chakraborty
Mr. Ronit Deyashi
Mr. M. Roy
Mr. Raj Mondal

...for the petitioner.

Mr. Bibaswan Bhattacharyya
Mr. Tapas Kr. Saha

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is in no way connected with the alleged offence. He runs a car repairing shop. No illegal funds whatsoever have come into the account. His phone calls with the acquaintance Sambhu was regarding car deals.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that the conspiracy took place in the petitioner's garage. This would be evident from a statement of the co-accused. The petitioner played a role in introducing the co-accused fraudsters to the holders of the bank accounts whose

accounts would be used for perpetrating the crime. There were telephone calls between the petitioner and the co-accused.

4. It does not appear that there is any phone call record available between the petitioner and the holders of the bank account in question. Furthermore, the petitioner has complied with the notice issued by the Investigating Officer as per the directions passed by this Court. Other than the phone call record with the co-accused, the only material available against the petitioner seems to be the statement of a co-accused, which is not admissible in evidence.
5. Considering the above and the other materials in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a week till submission of report in final form.
7. Accordingly, the application for anticipatory bail is allowed.

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

(Jay Sengupta, J.)