

03.01.2025
15.
SG
[REJECTED]

C. R. M. (A) 4683 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beliaghata Police Station Case No. 125 of 2024 dated 07.08.2024 under Section 338/336(3)/340(2)/318(2)/61(2)(a) of BNS.

And

In Re: **Devashish Rai.**

... .. Petitioner

Mr. Atis Kumar Biswas,
Mr. Amit Singh.

.....for the petitioner

Ms. Manisha Sharma,
Ms. Afreen Begum.

...for the State

1. Petitioner contends he was unaware of transfer of funds by co-accused into his account. Part of the misappropriated sum has been recovered. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. In the FIR it is alleged a sum of Rs. 10 lakhs was misappropriated from the account of the *de facto* complainant. A portion of the amount was routed through the account of the petitioner. CCTV footage shows presence of the petitioner in the bank when the alleged fraudulent transaction took place.
4. In light of the aforesaid incriminating materials, it cannot be said that petitioner was an innocent recipient of a part of the misappropriated sum. Custodial interrogation of petitioner is necessary to unravel the ramifications of the crime and recover

remaining stolen cash. Hence, we are not inclined to grant anticipatory bail.

5. Application for anticipatory bail is, thus, rejected.

[Shampa Dutt (Paul), J.]

[Joymalya Bagchi, J.]