

20.01.2025

(Bench ID 1472)

(JPD 57)

(S. Banerjee)

(Rejected)

CRM(A) 1014 of 2024

In re: An application under Section 438 of the Code of Criminal Procedure, 1973/ Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: Tohidul Islam @ Md. Tahidul Islam & Anr.
...petitioners

Mr. Debasish Mukhopadhyay
Ms. Srishti Sarkar
Ms. Madhusri Dutta

... for the petitioners

Mr. Abhijit Sarkar
Ms. Sukanya Adhikary

... for the State

Petitioners contend that the de facto complainant had taken loan from a finance company. She failed to repay the loan and to screen herself she has falsely implicated the petitioners. There is a delay in lodging FIR. They pray for anticipatory bail.

Learned lawyer for the State submits that the petitioners have criminal antecedents and have indulged in similar offences.

We have considered the materials on record.

Petitioners had procured the credentials of the de facto complainant and obtained loan in their name. Thereafter, they misappropriated the money. On such score, the present case is registered. Petitioners have also committed similar offences resulting in another case.

In such view of the matter, we are of the opinion that the petitioners are involved in organized criminal activities and their custodial interrogation is necessary for recovery of money.

Hence, we are not inclined to grant anticipatory bail to the petitioners.

The application for anticipatory bail stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)