

AD 63
March 11, 2026
Ct. 28
SG

Reject

CRM(A) 632 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sagardighi P.S. Case No.1017 of 2025 dated 22.12.2025 under Sections 316(2)/318(2)/318(4)/319(2)/111(2)(b) of the BNS, 2023.

And

In the matter of: *Mosaraf Hossain* ... *petitioner*

Mr. Mrityunjoy Chatterjee
Ms. Suchismita Chakraborty
Mr. Arka Roy

... for the petitioner

Mr. Iqbal Kabir
Mr. Asif Dewan

... for the State

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Several FIRs have been lodged one after another against the present petitioner. It is alleged that the petitioner had taken money in 2024 promising to give double return within a year. The petitioner is absolutely innocent. A co-accused has been granted anticipatory bail. There were transactions made between the private parties.

Learned counsel for the State strongly opposes the prayer for anticipatory bail and submits that the petitioner had organised a fraudulent scheme by promising people double returns and thereafter, took money without giving any return whatsoever. There are several victims of this offence. At least nine persons have come forwarded with

similar allegations against the present petitioner. The person who was granted anticipatory bail by the learned Sessions Court does not stand on the same footing. The present offence would also attract the provisions of the West Bengal Protection of Interest of Depositors in Financial Establishments Act, 2013. However, the said provisions have not yet been incorporated. It is denied that the petitioner made any payment to any of the victims. Reliance is placed on the statements of witnesses and copies of documents regarding UPI payments.

Had the said provisions of the said Act of 2013 been added in the array of charges, the application for anticipatory bail would not have been maintainable before this Court.

Be that as it may, considering the incriminating materials available in the case diary and the fact that there are several victims of the offence allegedly committed by the present petitioner, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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

(Jay Sengupta, J.)