

11.08.2022
cm/ct 28

C.R.M. (DB) No. 2153 of 2022

sl. no. 11

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Bolpur P.S Case No. 346** dated **18.09.2021** under Sections **406/420/413/419** of the Indian Penal Code and read with Sections 66/66C/66D/71 of the Information Technology Act.

Rejected

And

In Re : Abhishek Das @ Abhishak Das

..... petitioner.

Mr. Navanil De
Mr. R. Chakraborty
Mr. Srijan Ghosh
Mr. Subhrajit Dey

..... for the petitioner.

Mr. Rudradipta Nandi, Ld. A.P.P.
Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

..... for the State.

Petitioner is in custody for 138 days. It is contended the matter relates to a civil dispute and he has been falsely implicated in the instant case.

Pursuant to our order report of ADG, CID is placed on record. From the report it appears a number of First Information Reports containing similar allegation of defrauding innocent persons on the false promise of setting up 4G towers have been registered. Investigation in these cases reveal petitioner had played a pivotal role in the crime. He had in conspiracy with other accused persons procured particulars of bank accounts of various individuals in different States where the money was deposited and siphoned away.

We have considered the materials on record. Investigation in the crime discloses a deep rooted conspiracy hatched between the accused persons to defraud innocent individuals on the false promise of setting up 4G towers. Monies collected from them were deposited in various accounts maintained in branches situated in different States

of the country. Thereafter, the monies were siphoned away. Chat messages between the petitioner and co-accused, namely, Siddheshwar Chandrakant Bharle @ Siddhartha show the principal role played by him in identifying bank accounts where the monies were deposited and siphoned away on payment of commission. Further investigation in the cases are in progress.

In view of the gravity of the offence and principal role played by the petitioner in the alleged crime and as further investigation in the cases are in progress, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)