

IN THE COURT OF Sessions Judge in charge, NORTH 24 PARGANAS

Present: **Sri Parag Neogi (WB-00957)**

Sessions Judge in charge, North 24 Parganas.

Criminal Misc. Case No.485 of 2026

Javed V/s The state.

Order no. 04 dated 09.03.2026:

The instant application u/s. 483 B.N.S.S filed by the petitioner, **Javed** in c/w Bidhannagar Cyber Crime P.S. case No.28/2025 dated 19.03.2025 u/s.318(4)/319(2)/336/338/111(2)/61(2) of B.N.S and 66C/66D of I.T. Act is taken up for hearing and order.

L.C.R received. C.D is also produced.

Heard the learned advocate for the petitioner accused and the learned P.P In-charge.

Ld. advocate for the petitioner submits that the bail prayer was earlier rejected and that the petitioner was not involved in the alleged offence and that the accused is in detention for a considerable period of time and a mere amount of Rs.1,55,000/- can be attributed towards the deposition in his bank account. It is argued that the petitioner is a businessman involved with the supplier of construction materials and as such his name has been falsely implicated while the main culprit namely Abid Khan has been left out by the investigating agency.

Ld. Advocate has argued that the accused is innocent and has no knowledge as to from where he has been paid by his customer and as such his bail prayer may be allowed. In support of his contention, the Id lawyer for the petitioner has produced a large number of bills/voucher books trying to show that the builder has been supplying materials and receiving money as price of such building materials. He further submits that no such application of this petitioner has either been moved before or rejected by the Hon'ble Court on any previous occasion. Hence, he prays for grant of bail of the accused petitioner on any condition as deemed fit.

Ld. Special P.P while opposing the bail prayer has pointed out that a huge amount of money to the tune of Rs.6 crores have been received by the petitioner alone and the allegations which have been made out in the suo-moto F.I.R over fraud relating to hotel bookings is not at all false.

Ld. Special P.P has admitted that other culprits involved in the crime though identified, are yet to be traced out and as such it can not be said that the petitioner is completely innocent.

Ld. Special P.P has argued that fraudulent activities by this petitioner along with his associates are being carried out in different parts of the country and even the petitioner was arrested in connection with another case when he was lodged in Tihar Jai, Delhi. He also submits that bail prayer was earlier rejected.

Perused the voluminous C.D and the large number of documents produced by the petitioner/accused.

Upon careful scrutiny of the documents produced by the petitioner, it is difficult to conclude that he has supplied materials and received money as a price of those materials. On the other hand, materials in the C.D reflect receipt of money which was deposited towards hotel booking and the petitioner appears to be involved in the fraudulent activity.

Considering the materials available in the C.D very meticulously, I undoubtedly find that there is no denying of the fact that the petitioner has been detained in custody for long. However, considering the attending facts and circumstances of the petitioner, his antecedents and conduct, I am satisfied with the submissions of Ld. Special P.P that his release is unwarranted because that may render him opportunity not only to influence the witnesses but also to evade the process of law and trial. Therefore, considering the above fact and the fact that bail prayer was earlier rejected after submission of chargesheet, I am inclined to reject his bail prayer even without being oblivion of the fact that he has been in custody for fairly a long period of time within which the investigation in the present case has been completed. Hence, his bail prayer stands rejected.

Return the L.C.R along with a copy of this order to the concerned Court for information and necessary action.

C.D be returned.

The instant C.M.C is disposed of.

Dictated & corrected by me.

**Sri Parag Neogi,
Sessions Judge in charge,
North 24 Parganas.**

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