

**CRM 2635 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of
the Code of Criminal Procedure;

And

In Re: - Anup Das & Anr.

Petitioners

Ms. Ankita Dey

Mr. Pawan Kr. Gupta

Mr. Saugata Mitra

For the Petitioners

Mr. Swapan Banerjee

Mr. Suman De

For the State

Apprehending arrest in connection with Balarampur
Police Station case no. 112 of 2019 dated 29.08.2019 under
Sections 489B/489C/120B of the Indian Penal Code, the present
application has been preferred.

Mr. Gupta, learned advocate appearing for the petitioners
submits that the petitioners have been falsely implicated. There
had been no recovery of alleged fake currency notes from the
petitioners and their names have transpired on the basis of the
statement of the co-accused. Upon completion of investigation
charge sheet has also been submitted and as such custodial
detention is not necessary.

Mr. Banerjee, learned advocate appearing for the State
opposes the petitioners' prayer for anticipatory bail and submits
that the petitioner no.2 earlier filed an application for
anticipatory bail being CRM no. 11819 of 2019 and the same was
dismissed by an order dated 16th of December, 2019. He further

submits that there had been recovery of fake currency notes from the house of the petitioner no.1 as would be explicit from the seizure list.

We have heard the learned advocates appearing for the parties and considered the materials in the case diary. The prayer for anticipatory bail of the petitioner no.2 was rejected earlier and as there had been no change in the circumstances subsequent thereto, we are not inclined to grant anticipatory bail to the petitioner no.2. So far as the petitioner no.1 is concerned, prima facie it appears that there had been recovery of fake currency notes from the house of the said petitioner. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner no.1.

Accordingly, the application for anticipatory bail being CRM 2635 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)

(Tapabrata Chakraborty, J.)