

October 29, 2021  
AD 3.  
Ct.6.  
BPG & SG

**C.R.M. 7076 of 2021**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur Police Station Case No.104 of 2021 dated May 13, 2021 under Section 420 of the Indian Penal Code, 1860.

And

In the matter of: Soumen Talukder. ... petitioner.

Ms. Sananda Bhattacharyya  
... for the petitioner.

Mr. Sudip Ghosh  
Mr. Bitasok Banerjee  
... for the State.

This is an application for bail in connection with Taherpur Police Station Case No.104 of 2021 dated May 13, 2021 under Section 420 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia.

Learned advocate for the petitioner submits that the petitioner is the driver of a vehicle which is the subject-matter of disputes between several persons giving rise to the instant police station case. She submits that the principal accused is Pintu Podder and not the petitioner herein. She further submits that the petitioner has been falsely implicated in the instant case.

Learned advocate for the State submits that the petitioner handed over a forged and manufactured demand draft on account of price of the vehicle-in-question to Pintu Podder on behalf of himself as well as on behalf of Paresh Patra. He submits

that Paresh Patra is still absconding and there is every possibility that if the present petitioner is enlarged on bail, he shall tamper with the evidence.

Learned advocate for the State has produced the case diary and draws the attention of the court to the statements of the petitioner made under Section 161 of the Criminal Procedure Code.

Considering the nature of allegations, the complicity of the petitioner in the alleged offence and the incriminating materials available against the petitioner and also that investigations are still going on, this Court is of the view that the present petitioner should not be enlarged on bail at this stage.

The case diary is returned to learned advocate for the State.

The application for bail under Section 439 of Code of Criminal Procedure being CRM 7076 of 2021 is, therefore, dismissed.

***(Hiranmay Bhattacharyya, J.)***