

24.12.2021

Serial no. 26

Dd

(Through Video Conference)

CRM 8796 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Anandapur** Police Station Case No. **13** dated **19.01.2020** (**ACGR 272/2020**) under Sections **120B/409/420** of the Indian Penal Code.

-And-

In the matter of : **Tapas Kumar Das**

... ..**Petitioner**

Mr. Soumik Ganguly

Mr. Rajib Ray, Advocate

... .. For the Petitioner

Mr. Sudip Ghosh,

Mr. Apurba Kr. Datta, Advocates

... ..For the State

Mr. Kallol Mondal,

Mr. Ayan Bhattacharjee,

Mr. Seumya Roy Chowdhury,

Mr. Kausik De,

Mr. R. Ray,

Ms. Mohini Majumder,

Mr. Raghav Munshi, advocates

.. ..For the de facto complainant

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The criminal complaint is an offshoot of a commercial transaction. There are several proceedings with regard to the dishonour of cheques . The petitioner is not connected with the legal entity with which the de facto complainant was transacting.

Learned advocate appearing for the State submits that the petitioner is the elder brother of the person in whose name the goods were taken delivery of. He submits

that there are materials implicating the petitioner in the transaction.

De facto complainant is represented.

Considering the gravity of the offence and the involvement of the petitioner and the nature of transaction and considering the materials in the case diary, the complicity of the petitioner in the transaction cannot be ruled out.

We are, therefore, not inclined to grant anticipatory bail to the petitioner.

CRM 8796 of 2021 is, accordingly, **rejected**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)