

21.06.2023
Sl. 172
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 2121 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in G.R. Case No. **2495** of **2022** arising out of **Jhalda** Police Station Case No. **128** of **2022** dated **26.11.2022** under Sections **406/ 420/ 465/ 467/ 468/ 471/ 506/ 120B** IPC.

And

In the matter of: **Mukesh Kumar Singh**

....petitioner.

Mr. Pratip Kumar Chatterjee

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Mr. Subrato Roy

... for the State.

1. Report submitted by the learned Counsel for the State be taken on record.
2. Perused the report submitted by S.I., Prasanta Sau, Jhalda P.S., Purulia.
3. Heard learned Counsel for the parties.
4. On the last occasion, i.e., on 14.06.2023, learned Counsel for the petitioner submitted that the truck-in-question has been seized by the financier Chola Mondalam Finance, Purulia Branch.
5. The report submitted before us by learned Counsel for the State, however, shows that about one month after the agreement between the petitioner and the informant was executed, the dues of the aforesaid finance company had already been paid and 'No Objection Certificate' has been issued by the aforesaid financier.
6. Now learned Counsel for the petitioner submits that the Aadhar Card which is alleged to have been filed along with the

agreement is forged one and the agreement is also forged one. Such a prevaricated stand by the petitioner constrains us to rule that custodial interrogation of the petitioner is very much necessary in the present case to arrive at the truth.

7. In view of such, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner at this stage.
8. Accordingly, the prayer for the anticipatory bail is rejected.
9. The application being **CRM (A) 2121 of 2023** is dismissed.
10. Consequently, the interim protection dated 14.06.2023 stands vacated.

Sourav

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

