

26.06.2024
SL No.16
Court No.29
TN

CRM (A) 1971 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Haldia Police Station Case No.146 of 2023 dated 11.09.2023 under Sections 120B/406/420/467/468/471 of the Indian Penal Code.

And

In the matter of : **Tapati Benia.**

- petitioner.

Mr. Ayan Bhattacharjee,
Mr. Kunal Ganguly,
Mr. Tirupati Mukherjee

....for the petitioner.

Mr. Koushik Kundu,
Ms. Rajnandini Das

... for the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and falsely implicated. Moreover, charge-sheet has already been filed and accordingly there is no need of further custodial detention of the accused petitioner for the purpose of interrogation.
2. The learned counsel for the State submits that the petitioner along with Prasanta Kumar Benia issued false share certificates and money receipts on a clear misrepresentation that the investors will receive significant returns under Kisan Bikash Patra. The learned counsel has also referred to the statement of the son of Prasanta Kumar Benia which directly implicates his father and aunt.
3. On consideration of the materials on record and having regard to the nature of the offence of the present applicant, also having regard to the fact that Prasanta Kumar Benia was

denied bail on 21st May, 2024 and notwithstanding submission of charge-sheet, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, this application for anticipatory bail stands rejected.

(Soumen Sen, J.)

(Uday Kumar, J.)