

04.01.2024

86
Ct. No. 29
S.D.

C.R.M.(A) 4518 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Purulia (M)** Police Station Case No. **206** of **2023** dated **27.8.2023** under Section 379/411/413/414/34 of the Indian Penal Code and 21(1)(4) of Mines and Minerals (R&D) Act.

And

In Re : Sudhan Bauri & Anr.

..... petitioners

Mr. Kallol Mondal

Mr. Musharraf Alam Sk.

...for the petitioners

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

..for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 by the Coordinate Bench.

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

Learned advocate appearing for the petitioner submits that the vehicles were carrying goods with valid tax invoices cum challans. Tax invoices cum challans are submitted by the petitioners and are annexed to the petition for anticipatory bail.

Learned advocate appearing for the State submits that, the tax invoices cum challans were enquired into by the Investigating Officer and found to be fake.

In such circumstances, complicity of the petitioner in the offence alleged cannot be overlooked. Moreover, the Investigating Officer will add further Sections of the IPC with regard to production of fake documents before Public Officials and making of false statement knowing the same to be false, as against the petitioners.

We are unable to confirm the interim order dated October 16, 2023 or grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 4518 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)