

03.11.2020
SL No.32
Saswata

**CRM 8607 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **GR Case No. 616/2020** arising out of **Kashipur** P.S. Case No. **62/2020** dated **23.09.2020** under Sections **188/379/411/413/414/120B** of the Indian Penal Code and under Section 21(1)(4) of the Mines and Minerals (R & D) Act, 1957

And

In the matter of: **Rupesh Kumar Lal Singh Deo**

....Petitioner.

Mr. Sandipan Ganguly, Sr. Adv
Mr. Satadru Lahiri

...for the Petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

...for the State.

The petitioner claims that he has been proceeded against for his journalist brother writing articles against the personal dispensation in certain newspapers or portals.

According to the petitioner, the tractor admittedly owned by the petitioner was ferrying sand upon obtaining due permission. The tractor was apprehended *en route* from Kashipur to Adra.

Though the State says that the tractor was found on the riverbed of Darakeswar, it is evident from the copy documents appended to the petition that road challan had been obtained from the Government website indicating that sand would be carried by the relevant tractor on September 23, 2020 from Kashipur to Adra. The relevant road challan appears to be genuine and a letter issued by the appropriate official in respect of mines and minerals dated October 6, 2020 has also been relied upon by the petitioner.

Considering such material, the petitioner is entitled to anticipatory bail.

In the event of arrest, the petitioner will be enlarged on bail on furnishing a security of Rs.10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioner will also comply with the conditions laid down under Section 438(2) of the Code.

CRM 8605 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)