

146 17.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 9350 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bishnupur** P.S. Case No. **45 of 2020** dated **16/03/2020** under Section **188/379/34** of the Indian Penal Code and under Sections **4/21** of the Mines and Minerals (Development and Regulation) Act.

And

In the matter of: Bibhas Banerjee

....petitioner.

Mr. S. Mondal,
Mr. S. Jana,
Mr. A. Dan

...for the petitioner.

Mr. T. K. Ghosh,
Mr. A. Sen

...for the State.

We have considered the materials on record. Illegally mined sand has already been recovered. Petitioner has cooperated with investigation. Nothing is placed on record to show that petitioner has criminal antecedents. Hence, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)