

26.02.2021

Item No.30

Ct.No.28

Subha

Allowed

C.R.M. 490 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail filed on 13-01-2021 under Section 438 of the Code of Criminal Procedure.

And

In the matter of : **Madan Mohan Das & Ors.**

.....petitioners.

Mr. Soumyajit Das Mahapatra

... For the petitioners.

Mr. Neguive Ahmed

Ms. Trina Mitra

... For the State.

Apprehending arrest in connection with Anandapur Police Station Case No. 185 of 2020 dated 25-11-2020 under Sections 466/471 of the Indian Penal Code(G. R. Case No. 3180 of 2020), the present application has been preferred.

Mr. Mahapatra, learned advocate appearing for the petitioners submits that the petitioners are illiterate persons, who have uploaded in the website certificate relating to the reserved category in respect of a Scheme named as “*Tapashili Bandhu*” for the purposes of pension. The

reserved category certificate was questionable and as such the Block Development Officer of Keshpur Block issued notices for verification when the petitioners evaded the same.

Mr. Ahmed, learned advocate appearing for the State opposes the prayer for anticipatory bail of the present petitioners and submits that there is a racket prevailing in respect of such reserved category certificates for availing the benefits of the government.

Having regard to the fact that the investigation, prima facie, reveals that another accused person has been involved who is helping out the beneficiaries for pension for the purpose of his own benefit and the present petitioners were unable to understand the consequences of their act and till date, there is nothing in the case diary to suggest that the present petitioners have received any benefit under the said scheme, we are of the opinion that the petitioners may be extended the benefit of anticipatory bail and as such, prayer for anticipatory bail of the present petitioners is allowed.

Accordingly, we *allow* the application for *anticipatory bail of present petitioners* and direct that in the event of arrest, the **petitioners namely, 1. Madan Mohan Das, 2. Bansari Das and 3. Asim Das** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down

under Section 438(2) of the Code of Criminal Procedure, 1973.

This order of anticipatory bail will remain in force for a period of four weeks within which the present petitioners would surrender before the jurisdictional court and pray for regular bail.

The present petitioners shall also meet with the Block Development Officer of Keshpur Block as also the Investigating Officer of Anandapur Police Station once a week on and from 2nd March, 2021 until further orders.

The application for anticipatory bail, being CRM 490 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)