

12.04.2021

Court No.28

rpan / 303

CRM 817 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Birendranath Biswas**

- Petitioner

Mr. Soumyajit Das Mahapatra

... For the Petitioner.

Mr. Saibal Bapuli,

Ms. Sayanti Santra

... For the State

Apprehending arrest in connection with Kharagpur (Local) P.S. Case No. 714 of 2020 dated 04.12.2020 under Sections 379/411/413/414/34 of the Indian Penal Code and Sections 21(4)/21(5) of the Mines and Minerals Act, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner seems to be the owner of the dumper and has been falsely implicated in the instant case.

The learned advocate for the State draws the attention of this Court to the relevant materials available in the case diary and submits that the investigation is at the nascent stage.

We have perused the observations of the learned Sessions Judge, who had appreciated the materials available in the case diary.

On an appreciation of the materials, available in the case diary, as also the order passed by the learned Session Judge, we

do not intend to differ with the same. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The application for anticipatory bail, being CRM No. 817 of 2021, is dismissed.

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

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)