

Item No.23
11-08-2021
(ct. no.32)
(AD)
Allowed

(Via Video Conference)

CRM 1726 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nalhati Police Station** Case No. **249 of 2018** dated **12.07.2018** under Sections **379/411/413/414** of the Indian Penal Code and Section **21** of the Mines and Minerals Development and Regulation Act 1957 and rules 33 of the West Bengal Mines and Minerals Rule, 2002.

- A n d -

In the matter of : Mintu Sk

.... Petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... For the Petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. A. K. Datta

... For the State.

The allegation against the petitioner is that of transporting stolen sand.

We have seen the case diary and statements of the witnesses recorded under Section 161 of the Code of Criminal Procedure.

The owner as well as the driver of the vehicle have been granted bail by the learned Court below.

Charge sheet has already been submitted upon completion of investigation.

Having considered the nature and gravity of the offence and the petitioner's complicity therein, we are inclined

to hold that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being CRM 1726 of 2021 is, thus, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)