

23.02.2022

Sl. 5
Court No.29
sourav
(Rejected)

C.R.M. (A) 562 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **01.02.2022** in connection with **Chinsurah** P. S. Case No. **453** of **2021** dated **26.10.2021** under Sections **379** of the Indian Penal Code and under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957

And

In the matter of: **Bhanu Pratap Singh**

....petitioner.

Mr. Sekhar Basu, Sr. Adv

Mr. Somnath Banerjee

Mr. Ranadeb Sengupta

Ms. Suchismita Dutta

Mr. Pronojit Roy

Ms. Pranidhi Singh

...for the petitioner.

Mr. Saswata Gopal Mukherji

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

Supplementary affidavit filed in Court be taken on record.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner is running a brick field after possessing requisite permissions to do so.

Learned advocate appearing for the State submits that consent to operate the brick field expired in the 2015. That apart, the petitioner is guilty of encroaching upon government property. He refers to various photographs which shows that over a period of time, the petitioner encroached on government property in excess of 2 acres.

Learned advocate appearing for the petitioner refers to the supplementary affidavit and contends that the allegation of encroachment is not correct.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that government property is involved, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 562 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

