

22.03.2022

Sl. 79
Court No.29
Sc/SD
(Allowed)

C.R.M. (A) 793 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **14.02.2022** in connection with **Pursurah** P. S. Case No. **176** of **2021** dated **12.12.2021** under Sections **379/411/414** of the Indian Penal Code read with Section 21(1) of Mines and Mineral (Development Regulations) Amendment Act, 2015.

And

In the matter of: Shyamsundar Mandal

....petitioner.

Mr. Avishek Sinha
Mr. Suman Chakraborty
Ms. Jonaki Saha

...for the petitioner.

Mr. Saibal Bapuli
Mr. Arani Bhattacharyya

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioner holds valid permission to quarry sand. Such permission is valid till the year 2023.

Learned advocate appearing for the State submits that the police are yet to come across any licence in favour of the petitioner as claimed.

The petition contains documents with regard to the sand quarry permission as the petitioner claims.

In such circumstances, considering the gravity of the offence and involvement of the petitioner therein and considering the fact that the police filed charge sheet, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, 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 and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 793 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)