

**27.04.2022**  
Sl. 32  
Court No.29  
sourav  
(Allowed)

**C.R.M. (A) 1922 of 2022**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sabang** Police Station Case No. **79** of **2022** dated **29.03.2022** under Sections **285/286** of the Indian Penal Code read with Section **24/26** of the West Bengal Fire Service Act and Sections **3/4** of the Explosive Substances Act.

And

In the matter of: **Samir Kumar Jana & Anr.**

....petitioner.

Mr. Sabir Ahmed  
Mr. Bhaskar Ray

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP,  
Mr. Soumik Ganguli

...for the State.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners are in the business of manufacturing firecrackers. The petitioners possessed a valid licence for the same.

Learned advocate appearing for the State submits that the licence expired in 2021. The quantity of gun powder seized was much above the permissible limit assuming that the petitioners were possessing any valid licence.

Considering the fact that the petitioners are in the business of manufacturing of firecrackers although their licence to manufacture the same expired in 2021 and considering the gravity of the offence and the involvement of the petitioners therein, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners 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, 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 petitioners will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners 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 petitioners 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) 1922 of 2022** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**

