

30.05.2022.

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f.b./s.b.

Allowed

**In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side**

C.R.M. (A) 2436 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23rd May, 2022 in connection with SI Excise Seizure List No. 479 of 2021-2022 dated 16th February, 2022 of Uluberia Excise Station under section 46A(c)(ii) of the Bengal Excise Act.

and

In the matter of : Shibuj Majhi & Ors.. .petitioners

Mr. Mritunjoy Chatterjee

...For the petitioners.

Mr. Swapan Banerjee,

Mr. Suman De

...For the State.

Petitioners apprehend arrest in connection with SI Excise Seizure List No. 479 of 2021-2022 dated 16th February, 2022 of Uluberia Excise Station under section 46A(c)(ii) of the Bengal Excise Act 1909 and seeks anticipatory bail.

The State refers to the case diary and opposes the prayer for anticipatory bail.

We have heard the learned counsel for the parties.

Considering the gravity of the offence and the alleged involvement of the petitioners therein, we are of the view that immediate custodial interrogation of the petitioners may not be necessary. The petitioners are granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing Bonds of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioners shall apply for regular bail within four weeks before the Court below .

The application for anticipatory bail, being CRM(A) 2431 of 2022 is, thus, **allowed**.

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

Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Subhendu Samanta, J.)

(Arindam Mukherjee, J.)