

17.06.2022

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Allowed

C.R.M. (A) 2773 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Asansol (S) Police Station Case No. 188 of 2018 dated 13.06.2018 under Sections 409/420/120B of the Indian Penal Code.

And

In Re : Mahesh Prasad

..... petitioner

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Kunal Ganguly

.....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

....for the State

It is submitted by the learned Counsel appearing for the petitioner that he is the senior Manager of Mining of Salanpur area under Eastern Coalfield Limited. Investigation is complete.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

We have considered the materials on record. Principal Accused Biswajit Mukherjee has been granted bail and co-accused Anjali Mishra has been granted pre-arrest bail by this Court.

We note petitioner was a superior officer who had acted on the basis of the reports of co-accuseds who are on bail/anticipatory bail and as investigation is complete, we are inclined to 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 also be 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 before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)