

10.08.2022
Serial no. 15
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3805 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Arsha** Police Station Case No. **64** of **2022** dated **08.05.2022** under Sections **379/411/414/120B** of the Indian Penal Code and under Section **21(1)(4)** of the Mines and Minerals (Development and Regulation) Act, 1957 (G.R. Case No. **908 of 2022**)

-And-

In the matter of : **Sambhu Majhi**

... .. Petitioner

Mr. Pawan Kr. Gupta,
Mr. Sougata Mitra,
Ms. Sofio Nesar,
Ms. Ankita Dey,
Mr. Santanu Sett, Advocates
... .. *For the Petitioner*

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Pramanick, Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner relies upon road e-challen for sand riverbed materials transport and submits that the vehicle seized was with the relevant e-challen. He submits the petitioner possesses the right to quarry sand from same riverbed.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Prima facie, it appears that there is a road e-challen existing in favour of the petitioner in respect of the vehicle seized.

Consequently, 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 further condition that the petitioner shall report before the Investigating Officer at such time and place as may be specified by the Investigating Officer till the conclusion of the investigation and on further condition that the petitioner shall appear on every date 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 3805 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)