

05.09.2022

Sl.13

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4189 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dantan** Police Station Case No. **104** of **2022** dated **21.03.2022** under Sections **379/411/413** of the Indian Penal Code & **7(1)(a)(ii)** of the Essential Commodities Act, 1955.

And

In the matter of: **Ajit Ghosh @ Ajit Kumar Ghosh**

....petitioner.

Mr. Soumyajit Das Mahapatra

...for the petitioner.

Mr. Shiladitya Banerjee

...for the State.

Petitioner prays for anticipatory bail.

There is subsisting order passed by the Collector under Section 6 of the Essential Commodities Act, 1955 returning the major part of the seized materials to the petitioner.

At this stage, whether the petitioner comes within the purview of the Act of 1955 is debatable.

In such circumstances, 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 will report before the Investigating Officer as and when called for till the conclusion of the investigation and on 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.

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

C.R.M. (A) 4189 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

