

12.09.2022
Serial no. 20
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 4359 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tamluk Railway Protection Force Post Case No. 02 of 2022** dated **23.07.2022** under Sections **3(a)** of Railway Property (Unlawful Possession) Act, 1966 (corresponding to U.R. Case No. **06/2022**)

-And-

In the matter of : **Pharid Ali Sha @ Farid Shah @ Bhola**
... .. Petitioner

Mr. Kallol Mondal,
Ms. Mazhar Hossain Chowdhury,, Advocates
... .. *For the Petitioner*

Mr. Navanil De, Advocate
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. At the highest, the petitioner can be proceeded against on the basis of the petitioner being a receiver of stolen goods.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the petitioner was convicted in a similar police case.

Apparently, the petitioner deals with scrap materials.

Considering the gravity of the offence and the involvement of the petitioner in the present police case, 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 once in a week 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) 4359 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)