

21.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4518 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1162** of **2022** dated **22.07.2022** under Section 46A of the Bengal Excise Act.

And

In Re : Shyamal Ghosh

..... petitioner

Mr. Tapan Dutta Gupta

Mr. Parvej Anam

....for the petitioner

Mr. Saibal Bapuli

Mr. Sujan Chatterjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner runs a eating house, where the customers may have brought the liquor bottles, which were seized. The petitioner was not at the spot at the time of the alleged seizure.

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

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, 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/-, 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)