

11.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5160 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **601** of **2022** dated **02.09.2022** under Sections 447/379/427/506/511 of the Indian Penal Code, 1860 read with Section 15 of the Environment (Protection) Act, 1986.

And

In Re : Sri Ganesh Dolai & Anr.

..... petitioners

Mr. Dipanjan Chatterjee
Ms. Sananda Bhattacharya
Ms. Puja Kar

....for the petitioners

Mr. Rudradipta Nandy
Ms. Sonali Das

....for the State

Petitioners, apparently, cut trees belonging to the government authorities.

The felled trees were recovered.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 no. 1 (Sri Ganesh Dolai) shall meet the Investigating

Officer once a month till the conclusion of the investigation and petitioner no. 2 (Smt. Pratima Dolai) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners 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 petitioners 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.)