

25.11.2022

Sl.5

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5313 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **RPF Post Mecheda Case No. 01 of 2022** dated **10.03.2022** under Section **3(a)** of the Railway Property (Unlawful Possession) Act, 1966 corresponding to U.R. Case No.02/2022.

And

In the matter of: **Manoj Chaudhury @ Manoj Choudhury & Anr.**

....petitioners.

Mr. Anand Keshari

Mr. Gaurav Kumar

...for the petitioners.

Mr. Swapan Banerjee

Mr. Aninda Sundar Chatterjee

...for the State.

Petitioners pray for anticipatory bail.

None appears for the respondent despite service.

Apparently, the contents of the police complaint do not claim that the petitioners were in possession of the railway property. The petitioners are sought to be proceeded against under Section 3(a) of the Railway Property (Unlawful Possession) Act, 1966.

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/- (Rupees Ten Thousand Only) each, 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 petitioners will report before the Investigating Officer as and

when called for 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.

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

C.R.M. (A) 5313 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

