

10.05.2023

Serial no. 01

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1663 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Lake Town** Police Station Case No. **37** of **2023** dated **28.02.2023** under Sections **4D** of the West Bengal Land Reform Act, 1955 read with Rule **163** of the West Bengal Land Reform Manual, 1991 and corresponding to G.R. case no. 191/23.*

-And-

In the matter of : **Bhola Nath Goswami @ Bholanath Goswami & Anr.**

... .. Petitioners

*Mr. Pinak Kr. Mitra,
Mr. Ariba Shahab, Advocates
... .. For the Petitioners*

*Mr. Sudip Ghosh,
Mr. Bitasok Banerji,
Mr. A.K. Datta, Advocates
... ..For the State*

There is a report dated May 8, 2023 of the Block Land & Land Reforms Officer regarding a water body. Such report is of the view that the water body was restored.

In view of such report and the materials in the case diary, we are inclined to 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 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 petitioners shall report before the Investigating Officer as and when called for till the conclusion of

the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1663 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)