

13.07.2023
(M/L 50)
Ct. No.29
Allowed
(SKB)

CRM (A) 2444 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Garhbeta P.S. Case No.94 of 2023 dated 06.02.2023 under Sections 374/411/413/414 of the Indian Penal Code read with Sections 21(4) of the Mines and Mineral (Development and Regulation) Act.

In the matter of : Rejjak Khan

... Petitioner

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey,
Ms. Monami Mukherjee

... for the petitioner

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioners are alleged to have transported minor minerals in two trucks being the drivers of the same in contravention of purported permission given to them by Annexure 'C' to this petition.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of offence and substantial progress in the investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer in the aforesaid police station case on such terms and

conditions as deemed just and proper in the facts and circumstances of the case

4. This order shall be without prejudice to the power of competent authority under the relevant Act and Rules to impose penalty and collect licence fees etc for the contravention/violation of the provisions of the relevant Act and Rules.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2444 of 2023 is disposed of.
7. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)