

19.07.2023
(M/L 171)
Ct. No.29
Allowed
(SKB)

CRM (A) 2570 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Budbud P.S. Case No.01 dated 01.01.2023 under Section 379 of the Indian Penal Code.

In the matter of : Digeshwar Mahto @ Digeshwar Mahato
... Petitioner

Mr. Monish Sen,
Ms. Oisani Mukherjee
... for the petitioner

Mr. Ashok Das
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner who is stated to be an army personnel happened to find the mobile on road accidentally and used the same for about two months. Subsequently, when FIR was lodged by the informant, the mobile is stated to have been seized on production by the petitioner. The investigation is stated to have progressed substantially.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and

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

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 2570 of 2023 is disposed of.
6. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)