

13.09.2023
M/L 54
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3661 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kharagpur (Town) P. S. Case No.659 of 2022 dated 06.11.2022 under Section 380 of the Indian Penal Code (G.R. Case No.1238 of 2022).

In the matter of : Deepak Kumar Manna
@ Dipak Manna

... Petitioner

Mr. Amit Ranjan Pati

... for the petitioner

Mr. Sudip Ghosh,
Mr. Kaushik Kundu

... for the State

1. Heard learned counsel for the parties.
2. Though the FIR has been lodged under Section 380 IPC, we are satisfied about the fact that the petitioner rather being a thief is alleged to be the receiver of the stolen property. Some items are alleged to have been seized in the present case from the house of the petitioner in his absence. From the C.D., it is found that the bills of the petitioner, who is a goldsmith, have been verified and the seized articles do not match with the said bills.
3. Be that as it may, the petitioner being a receiver of the stolen property and there being no case of previous conviction against him, we are inclined to release the petitioner on anticipatory bail in view of the fact that learned counsel for the petitioner fairly submits that at a time three police station cases have been started against him.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

allegation 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 G.R. Case No.1238 of 2022 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions:

- i) The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the IO during investigation.
5. Accordingly, the prayer for the anticipatory bail is allowed.
 6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
 7. The applications being CRM(A) 3661 of 2023 is disposed of.
 8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)