

05.12.2023
(M/L 18)
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3990 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with R.P.F. Post, Panskura Case No.04 of 2023 dated 18.07.2023 under Section 3(a) Railway Property (Unlawful Possession) Act pending before the learned CJM, Purba Medinipur (UR 8 of 2023).

In the matter of : Tapas Das

... Petitioner

Mr. Suman De,
Mr. Abhinaba Mukherjee

... for the petitioner

1. Heard learned counsel for the petitioner.
2. Notice of service on R.P.F., South Eastern Railway, Panskura be taken on record.
3. Some railway property has been seized from the co-accused person named Khokon Barik as submitted by learned counsel for the petitioner and said Khokon Barik is stated to have been released on regular bail.
4. None has appeared on behalf of the R.P.F., South Eastern Railway, Panskura despite service of notice.
5. Learned counsel for the petitioner further submits that the basis of implication of the present petitioner is the statement of the co-accused and there is no record of past criminal antecedent of similar nature against the petitioner.

6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and nature of evidence, it is directed that the petitioner shall surrender before the learned CJM, Purba Medinipur in UR 8 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM(A) 3990 of 2023 is disposed of.
9. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)