

06.02.2024

DL.9

Court No.29

(AD)

(Allowed)

C.R.M. (A) 369 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murarai** Police Station Case No.**12 of 2024** dated **19.01.2024** under Sections **447/379/34** of the Indian Penal Code & **4(1)** of Mines & Minerals (Development & Regulation) Act, 1957 & **31** of Mines & Minerals (Development & Regulation) Act, 1957.(G.R. Case No.103 of 2024).

And

In the matter of: **Sk. Md. Jahangir @ Jahangir Hussan**

....petitioner.

Ms. Minoti Gomes

Ms. Manika Sarkar

...for the petitioner.

Mr. Swapan Banerjee3

Ms. Trina Mitra

... for the State.

There is a previous writ petition filed at the behest of the petitioner being WPA 1249 of 2024.

Such writ petition relates to long-term mining lease in respect of 10 acres of land on government plot no.4259 and 18 decimals belonging to the petitioner.

In such writ petition, an order dated January 25, 2024 was passed.

The e-action dated January 8, 2024 which was the subject-matter of the writ petition was stayed till February 29, 2024.

The present police case relates to alleged wrongdoings by the petitioner in respect of the same plot.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like

amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 369 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)