

27.08.2024

Court No.29

Item No. 38

Allowed

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CRM (A) 2907 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to section 438 of the Code of Criminal Procedure in connection with Raipur Police Station Case No. 64 of 2024 dated 17.06.2024 corresponding to G.R Case No. 392 of 2024 under Sections 379/411/414/120B of the Indian Penal Code read with Section21(1)(4) of the Mines and Minerals (Development and Regulation) Act.

And

In Re: **Sushanta Mahata & Anr.**

Petitioners

Mr. Arkaprabho Roy

For the Petitioners

Mr. Sanjoy Bardhan

Mr. Mirza Firoz Ahmed Begg

For the State

1. Heard the learned counsel appearing for the parties.
2. Considering the fact that the petitioners had the required licence for carrying out the business activities till 17th June, 2024 upto 10.47 a.m but it is not clear whether such offence was committed beyond that period and also having regard to the nature of the offence, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sushanta Mahata and Tapas Kumar Mahato** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023. The petitioners shall meet the Investigating Officer once in a week till the submission of the final report and on further condition

that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Khatra, within two weeks from date in connection with G.R Case No. 392 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

4. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)