

10.01.2024
214
Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 4868 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goaltore** Police Station Case No. **93 of 2021** dated **03.07.2021** under Section **188/379/411/413/414/34** of the Indian Penal Code and 21 of the Mines and Minerals Act.

And

In Re : Asish Mondal @ Ashish Mandal @ Asis Mandal
..... petitioner

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
....for the petitioner

Ms. Zareen N. Khan
Ms. Ashok Das
...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 by the Coordinate Bench.

By such order dated October 18, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

Apparently, the petitioner was carrying on business of stockiest of sand. The sand was found to be illegally mined.

In such circumstances, we are unable to confirm the order dated October 18, 2023 or to grant anticipatory bail to the petitioner and the prayer of anticipatory bail is rejected.

The application being CRM (A) 4868 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)