

18/02/2026
D/L – 49
Court No.28
S. Kundu
Allowed

C.R.M.(A) 421 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Onda P.S case no. 256 of 2025 dated 18/10/2025 under sections 303(2)/317(2)/317(4)/317(5)/61(2) of the BNS read with Section 21 of Mines and Minerals Act.

In the matter of: Sujoy Ghosh

...Petitioner.

Mr. Navanil De
Ms. S. Mazumder

...for the petitioner.

Mr. Saibal Bapuli
Ms. Sayanti Santra

...for the State.

1. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. Earlier, the owner of the vehicle was granted anticipatory bail by this Court on 11.12.2025 in CRM (A) 3843 of 2025. The challan for transporting the sand purportedly expired at 11.30 a.m on the same day i.e. on 17.10.2025 and the vehicle was apprehended at around 9.55 p.m. It was argued by the owner that due to some inadvertence and unforeseen circumstances, the transportation could not be completed within time. Pursuant to that another who substantially on similar ground as the present petitioner was granted anticipatory bail by this Court on 22.1.2026 in CRM (A) 4406 of 2025.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements

of witnesses, the agents in such act of illegal sand mining.

3. Considering the above, the other materials available in the case diary and the fact that the owner of the vehicle in question was granted anticipatory bail by this Court earlier, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
4. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O once a week till submission of report in final form.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)