

21.01.2026
Court No.28
Item No.74
tbsr
Reject

CRM (A) 4350 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Md. Bazar** P.S. Case No. **360 of 2025** dated **26.09.2025** under Sections **303(2)/317(2)/317(4)/317(5)** of the BNS, 2023 and Section 21 of the Minor Mineral Act.

And

In the matter of: **Lalu Midya @ Lulu Mirdha**

....Petitioner.

Mr. Tanweer J. Mandal
Ms. Somashree Dey

....for the petitioner.

Mr. Ranabir Roy Chowdhury
Ms. Trina Mitra

....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is not the principal accused. The principal accused, being the son of the petitioner was granted bail earlier. In fact, there was an agreement with a third party regarding excavation of sand.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the statements of witnesses and the other materials available in the case diary. She submits that as per a communication dated 08.10.2025 made by the concerned BL&LRO no legal sand ghat had been allowed in favour either the petitioner or the petitioner's son. Yet, the petitioner was found excavating sand illegally. In fact, the petitioner also has a criminal antecedent of similar nature.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)