

22.01.2026
Court No.28
Item No.56
ssi

CRM (A) 4406 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Onda Police Station Case No.**256 of 2025** dated **18.10.2025** under Sections **303 (2)/317 (2)/ 317(4)/317 (5)/61 (2) of the BNS.**

And

In the matter of: **Mrityunjoy Ghosh @ Mritunjoy Ghosh**
.... Petitioner.

Mr. Navanil De
Mr. Shoumilya Mazumder

...for the petitioner

Ms. Faria Hossain, Ld. APP
Ms. Mousumi Sarkar

..for the State

Learned counsel appearing on behalf of 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 sand had purportedly expired at 11:30 AM of the same day, i.e., 17.10.2025 and the vehicle was apprehended at around 9.55 PM. It was argued by the owner that due to some inadvertent and unforeseen situations the transportation could not be completed within time.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of the witnesses and submits that the petitioners are agents in such acts of illegal sand mining and according to the locals, they are actively involved in this illegal business.

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 of the petitioner.

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

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that on further conditions that the petitioner shall not threaten or intimidate the witnesses and shall co-operate with the investigation. The petitioner shall meet the I.O. once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)