

C.R.M. 3018 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tapan P.S case no. 58/2020 dated 16.02.2020 under Sections 21(c)/22(c)/27A of NDPS Act, 1985.

In the matter of : Jiyarul Mondal

... Petitioner

Ms. Jeenia Rudra

...for the Petitioner

Mr. Sanjoy Bardhan

Mr. C.R. Ghosh

.....for the State.

Having considered the materials on record and keeping in mind the fact that no narcotic substance was recovered from the possession of the petitioner and as his complicity has transpired from the statement of co accused before a police officer which is inadmissible in evidence, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under Section 37 of the NDPS Act, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)