

10.09.2020
tkm
sl no. 23

**C.R.M. 6022 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Raghunathganj P.S case no. 389 of 2020 dated 7.8.2020 under section 21(c)/29 of the NDPS Act
And

Allowed

In Re : Jhantu Sk @ Jhantu Shaikh petitioner

T Gupta

..... for the petitioner

Mr. S. Bardhan

Mr. P C Majhi

..... for the State

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and in the light of the submission that no narcotic substance was recovered from his possession and as his complicity has arisen from the statement of a co-accused before a police officer which is inadmissible in evidence, we are of the opinion that petitioner has been able to rebut the statutory restrictions under section 37 of the NDPS act and he may be granted anticipatory bail.

Accordingly, we direct that 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, 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 and on further condition that the petitioner while on bail shall meet investigating officer once in a week until further orders.

The application being CRM 6022 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)