

08.10.2020
SL No.22
Court No.10
(sd)
(Allowed)

CRM 7382 of 2020
CRAN 1 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ramnagar P.S. Case No. **47/2020** dated **23.08.2020** under Sections **21©/29** of the NDPS Act.

And

In the matter of: Mainul Islam Mondal @ Mainul Islam Mandal @ Mantu.

....Petitioner.

Mr. S. Adhikary

...for the Petitioner.

Mr. R. Roy Chowdhury
Mr. Mr. M. Gupta

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

Having considered the materials available on record and keeping in mind the extent of complicity of the petitioner in the alleged crime, as no narcotic substance has been recovered from his possession and as complicity in the alleged crime has transpired from the statement of the co-accused before the police officer which is inadmissible, we are of the opinion that the petitioner has been able to rebut the restriction under section 37 of the NDPS Act and he may be granted anticipatory bail.

In the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

The application for anticipatory bail being CRM 7382 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)