

01.12.2020.
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as
(Allowed).

C.R.M. 8970 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.339 of 2020 dated 24.09.2020 under Sections 22 (c)/23 (c)/27A/28/29 of the N.D.P.S. Act.

In the matter of : Golam Mostafa @ Gulam Mustafa @
Galam Mostafa.

... Petitioner.

Ms. Jeenia Rudra.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. C. R. Ghosh.

.....for the State.

Heard the learned Advocates appearing for the parties.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission 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 N. D. P. S. Act. Hence, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Golam Mostafa @ Gulam Mustafa @ Galam Mostafa 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)