

04.12.2020
SL No. 83
Avijit
allowed

CRM 9732 of 2020
(via video conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagarpara P.S. Case No. 135 of 2020 dated 11.11.2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substance Act.

In the matter of : Haider Shaikh @ Haider AliPetitioner.

Md. Golam Nure Imrohi

...for the Petitioner.

Mr. Rana Mukherjee,
Mr. Goutam Wilson

...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 the possession of the petitioner and as his complicity has arisen from the statement of the co-accused before 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 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)