

15.12.2020
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Saswata
(Allowed).

C.R.M. 10372 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 10.12.2020 in connection with Gangarampur P.S case no. 201/2020 dated 24.06.2020 under Sections 22(c)/23(c)/27A/28/29 of the NDPS Act.

In the matter of : Mokram @ Mokram Hossain
... Petitioner

Mr. B.Khatun
...for the Petitioner

Mr. Saryati Datta
.....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. Accordingly, 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.)