

26.02.2021
Court No.28
rpan / 26

C.R.M. 479 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;

And

In Re : **Rajib Daktar @ Ravi Daktar**

Petitioner

Ms. Minoti Gomes,

Mr. Jisan Iqubal Hossain

For the Petitioner.

Mr. Saryati Datta

For the State.

Apprehending arrest in connection with Sagarpara Police Station Case No. 72 of 2020 dated 02.09.2020 under Sections 186/188/34 of the Indian Penal Code and Sections 21/22/23 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the present application.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that the petitioner's name has transpired on the basis of the statement of a co-accused, which is inadmissible in evidence. There has been no recovery of contraband substance from the petitioner and a similarly situated person has already been granted anticipatory bail.

In view thereof, we are of the opinion that the petitioner has been able to overcome the rigours of the NDPS Act and is entitled to the privilege of anticipatory bail. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest the petitioner, viz. **Rajib Daktar @ Ravi Daktar**, shall be released on bail upon furnishing a bond of `10,000/- with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 479 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)