

05.03.2021
Court No.28
Item No. 21
Krishnendu
Allowed

**CRM 542 of 2021
(Via video Conference)**

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

In Re : **Pado Ali**

Petitioner

Ms. Zeenia Rudra

For the Petitioner

Mr. Ranadeb Sengupta

For the State

Apprehending arrest in connection with Gangarampur P.S.
Case No. 469 of 2019 dated 20.12.2019 under section 27(a)(b)
of the Drugs and Cosmetics Act, 1940, the petitioner has filed
the present application.

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

It appears that the petitioner's name had transpired on the
basis of statements of the co-accused persons, which are
inadmissible in evidence. The similarly situated persons had also
been enlarged on bail. No recovery was also effected from the
petitioner.

In view thereof, we are of the opinion that the provisions of
section 37 of the N.D.P.S. Act are not attracted and as such the
petitioner's prayer for anticipatory bail is allowed. .

Accordingly, we direct that in the event of arrest the
petitioner, namely, **Pado Ali**, shall be released on bail upon
furnishing a bond of Rs.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 No. 542 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.)