

12.03.2021

Court No.28

rpan / 25

CRM 606 of 2021
(Via video Conference)

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

And

In Re : **Rintu Sk.**

Petitioner

Mr. Mounick Ghosh

For the Petitioner

Mr. S. S. Imam,
Mr. Arabinda Manna

For the State

Apprehending arrest in connection with Baishnabnagar P.S. Case No204 of 2020 dated 30.04.2020 under Sections 27(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the present application.

Having heard the learned advocates and considering the materials in the case diary, it appears that no recovery of contraband substance was effected from the possession of the petitioner and his name transpired on the basis of the statement of a co-accused person, which is inadmissible in evidence and as such, the provisions of section 37 of the N.D.P.S. Act are not attracted and we are of the opinion that the petitioner is entitled to the privilege of anticipatory bail and his prayer for anticipatory bail is allowed. .

Accordingly, we direct that in the event of arrest the petitioner, namely, **Rintu Sk.** 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 No. 606 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.)