

27.04.2021

Item No.286

Ct.No.28

dc.

Allowed

C.R.M. 1006 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Ainul Haque @ Ainul Sk. @ Ainul** ... Petitioner.

Mr. Mounick Ghosh ... For the Petitioner.

Mr. Swapan Banerjee ... For the State.

Apprehending arrest in connection with Special Case No. 109/2016 (ref:- S.I.'s S.L. No. 133/15-16 dated 17.02.2016) of Excise, Sadar R.P.U., Malda under Sections 8(b)/29/46/18(c) of the Narcotic Drugs and Psychotropic Substances Act, the present application has been preferred.

Heard the learned advocates appearing for the parties.

Records reveal that similarly placed co-accused persons in the present case had already been granted anticipatory bail on 21.01.2021 in C.R.M. 270 of 2021. In view thereof, we are of the opinion that custodial interrogation/detention of the petitioner is not warranted.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Ainul Haque @ Ainul Sk. @ Ainul** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 present order shall remain valid for a period of eight weeks from date. In the meantime, the petitioner shall appear before the learned Special Judge under the NDPS Act, Malda and pray for regular bail.

The application for anticipatory bail, being CRM 1006 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.)