

20.05.2021
SL No.13
Court No.28
(gc)

CRM 1126 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Jalangi Police Station Case No.435/2020 dated 27.12.2020 under Sections 21(c)/29 of the N.D.P.S. Act.

And
In the matter of : **Milan Molla & Ors.**

- Petitioners

Mr. Jishan Iqubal Hossain,
... For the Petitioners.

Mr. Sanjoy Bardhar,
Mr. Ashok Das,
... For the State.

It appears from the materials on record that the names of the petitioners transpired from the statement of co-accused before a police officer which is inadmissible in evidence. Under such circumstances, we are of the opinion that the petitioners have been able to rebut the statutory restrictions under Section 37 of the NDPS Act. Hence, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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.1126 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)