

26. 04.10.2021

Ct.32

Tanmoy

Allowed

C.R.M. 3209 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **08/04/2021** in connection with **Special Case No. 21 of 2016** arising out of **Kaliachak Police Station F.I.R. No. 47/2016** dated **01/02/2016** under Section **18** of the N.D.P.S. Act, 1985.

And

In the matter of: - **Kausar Sk @ Kaushar Sekh**

...petitioner.

Sk. Zakir Hossain

...for the petitioner (through V.C.).

Mr. Saryati Datta

...for the State.

Fifty eight persons have been charge-sheeted in this case under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner is one of them.

The petitioner says that he has sold the land on which allegedly poppy plant cultivation is being carried on in contravention of law, eight years ago.

We have seen the material in the Case Diary. We notice that a co-accused person has been granted anticipatory bail by this Court by an order dated April 16, 2021, passed in C.R.M. 876 of 2021. From the material on record it appears that this petitioner is similarly circumstanced as that person.

In view of the aforesaid, we allow this application for anticipatory bail.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Kausar Sk @ Kaushar Sekh** 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

And on further condition that the petitioner shall meet the Officer-in-Charge of the concerned Police station once in every fortnight until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 3209 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)