

04.10.2021
Serial no. 106
Aloke
Ct. No. 29

(Through Video Conference)

CRM 3895 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 04.06.2021 in connection with Suti Police Station Case No. 76 of 2021 dated 26.02.2021 under Section 21(C)/29 of the NDPS Act.

-And-

In the matter of: Anikul Khan @ Ani & Ors.

... Petitioners

Ms. Minoti Gomes, Advocate

Mr. Jisan Iqubal Hossain, Advocate

... ... For the Petitioners

Mr. Swapan Banerjee, Advocate

Ms. Purnima Ghosh, Advocate

... ... For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the no contraband was seized from the possession of the petitioners. They are falsely implicated in on the basis of the statement of the co-accused.

State is represented.

Considering that no contraband was recovered from the possession of the petitioners, we are of the view that the petitioners are able to rebut the presumption under Section 37 of the NDPS Act, 1985 and since the charge-sheet submitted, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, 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 and on further condition that the petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date and with a further condition that the petitioners shall appear before the jurisdictional court on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM 3895 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)