

07.10.2021

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Ct. No. 29
sdas
Allowed

C.R.M. 4088 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 111 of 2021 dated 10.05.2021 under Sections 21(C)/29 of the NDPS Act.

And

In Re : Sohil Malith @ Sohel Malitha & Anr. petitioners

Ms. Minoti Gomes

.....for the petitioners

Mr. Saryati Datta

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that no contraband was recovered from the possession of the petitioners.

State is represented.

Considering that no contraband was recovered from the possession of the petitioners, we are of the view that the petitioners are even to rebut the presumption under Section 37 of the NDPS Act. Accordingly, 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 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall meet the investigating officer once in a fortnight until further orders and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)