

08.10.2021
Serial no. 37
Aloke
Ct. No. 29

(Through Video Conference)

CRM 4450 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 30.06.2021 in connection with Lalgola Police Station Case No. 222 of 2021 dated 11.04.2021 under Sections 21(b)/29 of the NDPS Act.

-And-

In the matter of: Jahirul Islam @ Johorul Sk.

... Petitioner

Mr. Kallol Kr. Basu, Advocate
Mr. Debapriya Samanta, Advocate
Md. Jannat Ul Firdous, Advocate

... ... For the Petitioner

Mr. Sanjay Bardhan, Advocate
Ms. Manisha Sharma, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

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

State is represented.

Considering that no contraband was recovered from the possession of the petitioner and considering the fact that intermediate quantity was recovered from the co-accused, the provisions of Section 37 of the NDPS Act, 1985 are not attracted so far as the petitioner is concerned. Since the police submitted charge-sheet, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks

from date and with a further condition that the petitioner shall appear before the jurisdictional court on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM 4450 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)