

14.12.2021.
23.
as
(Allowed).

C.R.M. 4816 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with NDPS Case No.03 of 2021 arising out of Raninagar P. S. Case No.526 of 2020 dated 30.12.2020 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Malik Mondal @ Manik Mandal.
... Petitioner.

Mr. Tapodip Gupta.
...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.
.....for the State.

Heard the learned Advocates appearing for the parties.

Learned Advocate of the petitioner prays for anticipatory bail. He contends no narcotic substance was recovered from the possession of the petitioner.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the light of the aforesaid submission made on behalf of the petitioner, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under Section 37 of the N. D. P. S. Act. Hence, 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 bail upon furnishing a bond of Rs.10,000/- 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 trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)