

07.12.2021

Court No.32
rpan / **222**

CRM 5601 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : **Sahil Sk**

- Petitioner

Mr. Somnath Adhikary

... for the Petitioner.

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee

... for the State.

Apprehending arrest in connection with Berhampore P.S. Case No.838 of 2021 dated 08.08.2021 under Sections 22(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the present application.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary. It appears that no contraband substance above commercial quantity was recovered from the possession of the petitioner and that his name has transpired on the basis of the statement of a co-accused person. In view thereof, the rigours of Section 37 of the N.D.P.S. Act are not attracted and as such, the petitioner's prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sahil Sk** 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 subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973 with a further direction that the petitioner shall reside within the jurisdiction of Berhampore Police Station and shall meet with the investigating officer of the case once a week on and from 14th December, 2021 till the completion of investigation.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM No. 5601 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)