

C.R.M. 5706 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **25/08/2021** in connection with **Bhagwangola** P.S. Case No. **23 of 2021** dated **12/01/2021** under Sections **188/353** of the Indian Penal Code and Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Saddam Sk @ Sinarul Islam

....petitioner.

Mr. Niladri Ghosh

Mr. Tapodip Gupta

...for the petitioner.

Mr. Navanil De

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that although a case has been registered under the NDPS Act against the petitioner, no recovery was made from the possession of the petitioner. The name of the petitioner transpires from the statement made by the BSF personnel. The BSF personnel, however, did not disclose the source of information so as to implicate the petitioner.

State is represented.

Considering the facts and circumstances of the case and considering the case diary and the fact that no amount of narcotic substance was recovered from the petitioner, 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 also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that he shall meet the Investigating Officer once in a week until further orders and that he shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

In the event the petitioner fails to adhere to any of the conditions as enshrined above, the jurisdictional Court will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 5706 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)