

01.10.2021
Serial no. 432
Aloke
Ct. No. 29

(Through Video Conference)

CRM 6506 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 27.09.2021 in connection with Jalangi Police Station Case No. 16 of 2021 dated 14.01.2021 under Sections 21(c)/29 of the NDPS Act.

-And-

**In the matter of: Sazzad Sk. @ Sazzad Mondal @ Sajjad Sk.
... Petitioner**

Mr. Jisan Iqubal Hossain, Advocate

... .. For the Petitioner

Mr. Ranadeb Sengupta, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that no contraband was seized from the possession of the petitioner. The petitioner was falsely implicated on the basis of the statement of co-accused.

Learned Advocate appearing for the State submits that 634 bottles of phensedyl was seized from the co-accused.

Considering that no contraband was recovered from the possession of the petitioner we are of the view that the petitioner is able to rebut the presumption under Section 37 of the NDPS Act, 1985. Considering the fact that 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 6506 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)