

15.11.2021
Sl. No.102
akd
[ALLOWED]

C. R. M. 7186 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.11.2021 in connection with Kaliachak Police Station Case No. 881 of 2021 dated 23.08.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Bhola Mandal @ Prasenjit***

... .. Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that co-accused namely, Lalu Mohammed who is similarly circumstanced with the petitioner has been granted pre-arrest bail.

Learned advocate appearing for the opposes the prayer for anticipatory bail.

We have considered the materials on record. We find that no narcotic substance was recovered from the possession of the petitioner. He stands on the same footing with the co-accused namely, Lalu Mohammed who has been granted pre-arrest bail by this court. Hence, we are inclined to extend the same privilege to the petitioner also.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Bhola Mandal @ Prasenjit***, be released on 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 also 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 court below and pray for regular bail within four weeks from date.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)