

16.12.2021
Item no.593
Court No.32
Avijit Mitra

C.R.M.7376 of 2021

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

And

In Re : Bahadur Sk.

.... petitioner

Mr. Ali Ahsan Alamgir,
Ms. Riya Das

....for the petitioner

Mr. Suman De

..... for the State

Apprehending arrest in connection with Bhagwangola Police Station Case No.434 of 2021 dated 26.09.2021 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the present application has been preferred.

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 statement of the co-accused persons. In view thereof, the rigors of Section 37 of the N.D.P.S. Act are not attracted. As such the petitioner's prayer for bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Bahadur Sk.**, shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall meet with the investigating officer once a week on and from 27th December, 2021 till investigation is over.

The petitioner shall attend the learned Trial Court on all the dates as fixed for hearing.

The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 7376 of 2021 is 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.)