

16.12.2021.
141.
as
(Allowed).

C.R.M. 7423 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jalangi P. S. Case No.168 of 2021 dated 22.06.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Zakir Sk @ Jakir & Anr.
... Petitioners.

Mr. Jisan Iqubal Hossain.
...for the Petitioners.

Ms. Sreyashee Biswas.
.....for the State.

Heard the learned Advocates appearing for the parties.

Report is placed on record. Apart from statement of co-accused before police officer, there is no other material connecting the petitioners with the alleged crime.

Under such circumstances, we are of the opinion that the petitioners have been able to rebut the statutory restrictions under Section 37 of the N. D. P. S. Act. Hence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)