

16.12.2021
Court No.01
Item No. 64
Allowed
sg

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 870 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Kotwali Police Station Case No. 319 of 2020 dated 19.05.2020 under Sections 20(ii)/(c)/25/29 of the NDPS Act.

And

In Re: **Lakhan Mandal**

Petitioner

Mr. Bablu Mitra

For the Petitioner

Mr. Ujjwal Luksom

Mr. Aniruddha Biswas

Ms. Namrata Das

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case.

The learned Counsel for the State however, opposes the prayer for anticipatory bail.

Having regard to the statement made by driver and khali of the vehicle exculpating the owner of the vehicle and bearing in mind the nature and complicity of the petitioner in the commission of the alleged offence and also having regard to the fact that the charge-sheet along with the supplementary charge-sheet has already been filed, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Lakhan Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, 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.

The petitioner shall attend the learned Court below on each and every date fixed for hearing. In default, the learned Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

The prayer for anticipatory bail is allowed and CRM 870 of 2021 is accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J)

(Soumen Sen, J)