

15.02.2022
Item no. 14
Court No.32
Avijit Mitra

C.R.M.(A) 224 of 2022

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

And

In Re : Shankar Barman @ Bengla

.... petitioner

Mr.Koushik Choudhury,
Ms. Bushra Khatun

....for the petitioner

Mr. Sudip Ghosh,
Mr. Apurba Kumar Dutta

..... for the State

Apprehending arrest in connection with Balurghat Police Station Case No.438 of 2020 dated 06.11.2020 under Sections 21(C)/22(C)/23(C)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 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. In view thereof, the statutory restrictions are not attracted. It also appears that co-accused persons similarly situated with the petitioner have already been granted anticipatory bail by different Coordinate Benches of this Court. As such, the petitioner's prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Shankar Barman @ Bengla**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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.

The petitioner shall attend the learned Trial Court on all the dates as specified 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.(A) 224 of 2022 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.)