

CRM (A) 251 of 2022
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Thaku Barman @ Prasenjit Kumar
Barmak & Anr.**

..... petitioners

Ms. Busra Khatoon

.....For the petitioners

**Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharya**

.....For the State

Apprehending arrest in connection with Balurghat Police Station Case No. 612 of 2021 dated 29.10.2021 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 petitioners and that their names have transpired on the basis of co-accused statement. In view thereof, statutory restrictions are not attracted and as such, the petitioners' prayer for anticipatory bail is allowed.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Thaku Barman @ Prasenjit Kumar Barman** and **Pappu Mahato @ Mahanta** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, 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 petitioners shall meet with the investigating officer of the case once a week till investigation is complete.

It is further directed that the petitioners shall not tamper with the evidence and/or intimidate the witnesses. They shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 251 of 2022, is, thus, 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.)