

27.01.2022

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Ct. No. 29

KAUSHIK

Allowed

**C.R.M.(A) 285 of 2022
(through Video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **468** of **2020** dated **20.11.2020** under Sections 21(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Najim Halsana @ Laden Mondal & Anr.

..... petitioners

Mr. Sumanta Das

....for the petitioners

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

....for the State

Considering the fact that the police filed charge-sheet and considering the fact that no narcotic was recovered from the possession of the petitioner and considering the fact that the petitioners are sought to be proceeded against on the basis of statement of the co-accused, we are of the view that the petitioners are able to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Consequently, we 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 also be subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)