

02.02.2022
Serial no. 10
Dd

(Through Video Conference)

CRM (A) 366 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Special Case No. 57 of 2016** arising out of **S.I.s S.L. No.- 47/ 15-16** dated **28/01/2016** under Sections **18(c)** of the Narcotic Drugs and Psychotropic Substances Act, 1985 for violation of section **8(b)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Jalenur Bibi**

... Petitioner

Mr. Kalidas Saha, Advocate
... .. For the Petitioner

Mr. Stapandeb Nandy,
Mr. Antarikshya Basu, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. According to the petitioner, the land is non-agricultural land and no cultivation takes place.

Learned advocate appearing for the State submits that although the relevant Additional District Magistrate was requested to provide details of ownership of the land, the report is still awaited.

Considering the fact that the case is of 2016 and considering the fact that State is yet to come to a *prima facie* finding that the land belonged to the petitioner, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand Only), 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 further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date petitioner shall cooperate with the investigation till completion of investigation.

Prayer for anticipatory bail is **allowed**.

CRM (A) 366 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)