

03.03.2022
Item no.40
Court No.32
ss

C.R.M.(A) 521 of 2022

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

And

In Re : Nasiruddin @ Bishu Mia @ Bishu Bohira
.... Petitioner

Mr. Mrityunjoy Chatterjee
Mr. Susnigdho Bhattacharya
Ms. Debapriya Majumdar
....for the petitioner

Mr. S. Mahapatra
Mr. Suman De
..... for the State

Apprehending arrest in connection with Kaliachak Police Station Case No.30 of 2021 dated 07.01.2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act read with Sections 18(b)/27 of the Drugs and Cosmetic Act, the present application has been preferred.

Heard learned Advocates appearing for the respective parties. 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 co-accused statement before the police officer, which is inadmissible in nature and as such, statutory restrictions are not attracted. Upon completion of investigation, charge-sheet has also been submitted. In view thereof, custodial interrogation of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Nasiruddin @ Bishu Mia @ Bishu Bohira**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with further condition that 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 his bail without any further reference to this Court.

The application for anticipatory bail being C.R.M.(A) 521 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.)