

CRM (A) 600 of 2022
(via video conference)

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

In the matter of : **Pran Kumar Mandal**

..... petitioner

Mr. Ali Ahsan Alamgir
Ms. Riya Das

.....For the petitioner

Mr. Saryati Datta

.....For the State

Apprehending arrest in connection with Raninagar Police Station Case No. 457 of 2021 dated 23.10.2021 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, 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 co-accused statement, which is inadmissible in evidence. As such, the statutory restrictions are not attracted. It further appears that a co-accused person, namely, Provash Sanyasi, similarly situated with the petitioner, has already been granted anticipatory bail by a coordinate Bench of this Court on 28th January, 2022.

In view thereof custodial interrogation of the petitioner is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Pran Kumar Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 he shall meet with the Investigating Officer of the case once a week till investigation is complete.

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

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

The application for anticipatory bail, being CRM (A) 600 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.)