

29.03.2022
Serial no. 124
[Dd]
(anticipator bail
Allowed)

CRM(A) 695 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No. **124** of **2021** dated **14.07.2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

-And-

In the matter of : **Jakir Sk.**

... .. Petitioner

Ms. Minoti Gomes,
Mr. Jisan Iqbal Hossain, Advocate
... .. *For the Petitioner*

Mr. Swapan Banerjee,
Ms. Purnima Ghosh, Advocate
... ..*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 the petitioner is sought to be proceeded against on the basis of the statement of the co-accused while in custody, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, 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 every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM(A) 695 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)