

CRM (A) 1241 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.03.2022 in connection with Bhimpur Police Station Case No. 312 of 2021 dated 31.10.2021 under Sections 21(c) of the NDPS Act.

-And-

In the matter of : **Jewel Mondal @ Juel**

... ..Petitioner

Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate

... .. For the Petitioner

Mr. Binay Panda, Advocate
Ms. Puspita Saha, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that no narcotic was recovered from the possession of the petitioner. The petitioner is sought to be proceeded against on the basis of the statement of the co-accused made while in custody.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that the petitioner is sought to be proceeded against on the basis of the statement of the co-accused made while in custody and considering the fact that no narcotic was recovered from the possession of the petitioner, 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 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure,

1973 and on condition that the petitioner shall appear before the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 1241 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)