

05.05.2022

Sl. 39
Court No.29
suvayan
(Allowed)

CRM (A) 2064 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhimpur** P.S. Case No. **298** dated **22/10/2021** under Section **20(b)(ii)(B)** of the NDPS Act.

And

In the matter of: Pranab Sarkar

....petitioner.

Md. Yunus Mondal

Mr. Pronojit Ray

...for the petitioner.

Mr. Saryati Datta

...for the State.

Petitioner seeks anticipatory bail.

Considering the fact that the police filed charge-sheet and considering the fact that narcotics below the commercial quantity was seized from the co-accused who is in custody and considering the fact that the petitioner is sought to be proceeded against on the basis of the statement of such co-accused made while in custody, we are of the view that the provisions of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted.

Considering the gravity of the offence and the involvement of the petitioner therein, we 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 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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2064 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)