

17.05.2022
Serial no. 04
[Dd]
(Anticipatory Bail
Allowed)

CRM (A) 2087 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ranitala** Police Station Case No. **150** of **2022** dated **20.04.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Samirul Sk @ Sakim Sk @ Babu Sk. & Anr.**
... .. Petitioners

Mr. Tapodip Gupta, Advocate
... .. For the Petitioners

Mr. Saryati Datta, Advocate
... ..For the State

Report as called for by the order May 10, 2022 filed in Court be taken on record.

Considering the fact that no narcotic was recovered from the possession of the petitioners and considering the fact that police at this stage are unable to establish any nexus between the petitioners and the person arrested with the commercial quantity of narcotic, we are of the view that the petitioners are able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

CRM (A) 2087 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)