

13.05.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2147 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **551** of **2021** dated **18.12.2021** under Sections 21(a)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Bhodu Sk. @ Torikul Sk. @ Tarikul Sk. & Anr.
..... petitioners

Ms. Minoti Gomes
Mr. Jishan Iqbal Hossain
....for the petitioners

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta
....for the State

Petitioners are sought to be proceeded against on the basis of the statement of the co-accused made while in custody. The recovery made from the co-accused is below the commercial quantity of narcotic. The principal accused is on statutory bail.

In such circumstances, we deem it appropriate 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/- 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 meet the Investigating Officer once in a week till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)