

10.06.2022
cm/ct 28
sl no. 88

C.R.M. (A) No. 2498 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with **Suti P.S Case No. 56 of 2009** dated **27.02.2009** under Section **18** of the NDPS Act and under Section 34 of the I.P.C.

And

Allowed

In Re : Basu Mondal

..... petitioner

Mr. Jisan Iqubal Hossain
Mr. Sabir Ahmed

... for the Petitioner.

Mr. Avishek Sinha

..... for the State

Petitioner is not the owner of the land where the poppy cultivation was carried on and charge-sheet has been filed in 2022.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Contemporaneous land records do not show petitioner as the owner of the land where poppy cultivation was carried on. Investigation is complete and charge-sheet was filed in 2022. In view of the aforesaid facts, 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/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) No. 2498 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)