

08.07.2022
Serial no. 05
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 3021 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure arising out of **NDPS Case no. 93 of 2022** in connection with **Jalangi** Police Station Case No. **112 of 2022** dated **11.04.2022** under Sections **20(b)(ii) (B)/29** of the Narcotic Drugs and Psychotropic Substance Act.

-And-

In the matter of : **Mijanur Molla @ Mijanur Rahaman Molla**
... .. Petitioner

Mr. Mritunjoy Chatterjee,
Mr. Golam Nure Imrohi, Advocates
... .. *For the Petitioner*

Mr. Antarikhya Basu, Advocate
... ..*For the State*

Report as called for by the order dated June 27, 2022 filed in Court be taken on record. The report tabulates the steps taken by the Superintendent of Police in order to ensure non-recurrence of the incidents.

In the present case no narcotic was recovered from the possession of the petitioner. The petitioner is sought to be proceeded against on the basis of the statements of the co-accused made while in custody. The police at this stage are unable to establish any nexus between the petitioner and the person arrested with the commercial quantity of narcotic or the seized narcotics.

In the circumstances, 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/- (Rupees Ten Thousand Only), 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 petitioner shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear on every date 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.

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

CRM (A) 3021 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)