

05.07.2022

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 3155 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **43** of **2021** dated **14.03.2021** under Section 20(b)(ii)(B)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Manik Shekh

..... petitioner

Mr. Busra Khatun

....for the petitioner

Mr. Binoy Kumar Panda

Mr. S. K. Bhakat

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the alleged recovery is below the commercial quantity. The police filed charge-sheet and, therefore, custodial interrogation of the petitioner is not required.

Learned advocate appearing for the State submits that, 7 kilograms of 'ganja' was recovered from the vehicle belonging to the petitioner.

Considering the fact that the police filed charge-sheet and considering the fact that below commercial quantity of narcotic was seized from the vehicle belonging to the petitioner, 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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**