

C.R.M. (A) 3513 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No. 198/2021 dated 19.02.2021 under Sections **22(c)/29** of the NDPS Act, 1985.

And

In the matter of: Md. Rafukul Sk. @ Md. Abdur Rafique
....petitioner.

Mr. Mritunjoy Chatterjee
Md. G. N. Imrohi
...for the petitioner.

Mr. Sanjay Bardhan
Ms. M. Sarkar
...for the State.

Report as called for by order dated July 25, 2022 filed in Court be taken on record.

No recovery was made from the possession of the petitioner. The petitioner is said to be proceeded against on the basis of statements of the co-accused, made while in custody. The petitioner stands on the same footing with other co-accuseds who were granted anticipatory bail. In such circumstances, 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/- (Rupees Ten Thousand Only) 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 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3513 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)