

CRM No.7752 of 2021

Via video conference

24.02.22

(S.R.)

Sl.222

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with NDPS Case No.99/2021 in connection with NCB Crime No.67/NCB/KOL/2021 under Section 8(c) R/w 22(b)/29 of the NDPS Act;

And

In re: Suresh Kumar

... petitioner.

Mr. Subhabrata Chowdhury

Miss Tripti Pandey

Mr. Biswajit Goswami

... for the petitioner.

Mr. Y.J. Dastoor, Ld. ASG

Ms. Amrita Pandey

... for the NCB.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the petitioner has duly complied with the earlier order of this Court passed on 20th January, 2022 and has met with the investigating officer, as directed.

Mr. Dastoor, learned Additional Solicitor General, enters appearance on behalf of the NCB.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that no contraband substance above commercial quantity was recovered from the possession of the petitioner and that his name has transpired on the basis of co-accused statements. The petitioner has also complied with the earlier direction of this Court. In view thereof, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we direct that in the event of arrest the petitioner will be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall attend the learned court below on all the dates as specified for hearing.

It is further directed that the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail being CRM No.7752 of 2021 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)