

29.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4109 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **550** of **2022** dated **25.06.2022** under Sections 20(b)(ii)(B) of the NDPS Act.

And

In Re : Lalchand Singha

..... petitioner

Mr. Amitava Karmakar

Mr. Arup Kumar bhowmick

....for the petitioner

Mr. T.D. Nandy

Mr. Antarikhya Basu

....for the State

The narcotic seized was below commercial quantity.

The petitioner disputes that the seizure took place from his shop room. According to the petitioner, the narcotic was seized in front of his shop and the persons fled away.

Considering the fact that the narcotic seized is below commercial quantity, 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 further condition that the

petitioner shall meet the Investigating Officer once a week till the conclusion of the investigation 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.)