

37 30.08.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 4146 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1158 of 2021** dated **21/10/2021**, corresponding to G.R. Case No.5856 of 2021 under Section **27(A)** of the Drugs and Cosmetics Act, 1940.

And

In the matter of: **Utpal Mandal**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. T. D. Nandy
Mr. Antarikhya Basu

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that nothing was seized from the possession of the petitioner. The police filed charge sheet. The petitioner was falsely implicated.

Learned Advocate appearing for the State submits that there is a criminal antecedent. The petitioner is involved in another case of NDPS Act, 1985.

Learned Advocate appearing for the petitioner submits that the petitioner was enlarged on anticipatory bail in that case.

In the facts of the present case, the police filed charge sheet and a supplementary charge sheet. The petitioner is on anticipatory bail in the NDPS case.

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) 4146 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)