

17.02.2022
Item no. 199
Court No.32
Avijit Mitra

C.R.M. 8751 of 2021 (Through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Soleman Sarkar @ Pintu

.... petitioner

Ms. Sreyashee Biswas

...for the petitioner

Mr. Sanjoy Bardhan,

Mr. Palash Chandra Majhi

....for the State

Apprehending arrest in connection with Lalgola Police Station Case No.700 of 2021 dated 18.09.2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the present application has been preferred.

Pursuant to the earlier direction Mr. Bardhan, learned advocate appearing for the State has filed a report wherefrom it appears that the petitioner has no criminal antecedent. Let the same be kept on record.

It also appears from the records that there had been no recovery of contraband substance above commercial quantity from the possession of the petitioner and that his name has transpired on the basis of co-accused's statement. In view thereof, the statutory restrictions are not attracted and as such, the petitioner's prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Soleman Sarkar @ Pintu**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further direction that the petitioner shall meet with the Investigating Officer of this case once a week till investigation is complete.

The petitioner shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioner shall not intimidate the witnesses and/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 the petitioner's bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 8751 of 2021 is 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.)