

17.02.2022

Court No.32
rpan / **208**

C.R.M. 8953 of 2021

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

And

In re: **Rahul Mandal & Another**

- Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick
... for the Petitioners.

Mr. N. P. Agarwala,
Mr. Saryati Datta
... for the State.

Apprehending arrest in connection with Kaliachak
Police Station Case No.1175 of 2021 dated 24.10.2021
under Sections 21(C)/29 of the Narcotic Drugs and
Psychotropic Substances Act, 1985, the petitioners have
filed the present application.

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 petitioners herein and that their names have
transpired on the basis of the statement of co-accused.
In view thereof, statutory restrictions are not attracted
and as such, the petitioners may be granted anticipatory
bail.

Accordingly, we allow the application for
anticipatory bail and direct that in the event of arrest the

petitioners, namely, **Rahul Mandal** and **Totan Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 direction that they shall meet with the investigating officer of the case till investigation is complete.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 8953 of 2021 is, thus, 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.)