

07.11.2022
Serial no.60
Aloke

CRM (A) 4856 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 01 of 2022 dated 01.01.2022 under Sections 21(b)/27(A)/29 of the NDPS Act.

-And-

In the matter of : **Samir Sk. @ Samiruddin Sk.**

... .. Petitioner

Mr. Mazahar Hossain Chowdhury, Advocate

Mr. Mobashshara Alam, Advocate

... .. For the Petitioner

Mr. Ranadeb Sengupta, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Intermediate quantity of narcotic was seized from the person arrested who names the petitioner.

The police at this stage are unable to establish any nexus between the petitioner and the person arrested with intermediate quantity of narcotic. The police are proceeding against the petitioner on the basis of the statement of the co-accused made while in custody.

In such circumstances, we are inclined to 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 be 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 4856 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)