

CRM (A) 4652 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Murutia Police Station Case No. 201 of 2022 dated 22.08.2022 under Sections 379/411 of the Indian Penal Code and Section 20(b)/29 of the NDPS Act, 1985.

-And-

In the matter of : **Asraf Sk. @ Asraful Mondal**

... .. Petitioner

Mr. Md. Sabir Ahmed, Advocate
Mr. Md. Abdur Rakib, Advocate

... .. For the Petitioner

Mr. Sanjoy Bardhan, Advocate
Ms. Baishakhi Chatterjee, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Report as called for by the order dated September 28, 2022 filed in Court be taken on record.

The report claims that there is a nexus between the petitioner and the person arrested with intermediate quantity of narcotics on the basis of the statement made by the independent witness.

We have perused the case diary.

In the statement recorded under Section 161 of the Code of Criminal Procedure, it is claimed that the petitioner and the person arrested with the intermediate quantity of narcotics were seen together.

It is not the claimed that the petitioner and the person arrested with the intermediate quantity of narcotics were seen with any narcotics with them. The police filed charge-sheet.

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 further 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) 4652 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)