

07.11.2022

Sl.31
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4751 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure arising out of NDPS Case No.168 of 2022 in connection with **Raninagar** Police Station Case No. **258 of 2022** dated **16.07.2022** under Sections **21(C)/29** of the of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Maman Seikh @ Mamon Shaikh**

....petitioner.

Mr. Golam Nure Imrohi

...for the petitioner.

Mr. Saryati Datta

...for the State.

Petitioner prays for anticipatory bail.

Report as called for by the order dated September 29, 2022 filed in Court be taken on record.

The report does not suggest that there is any nexus between the petitioner and the person arrested with the commercial quantity of narcotics and/or commercial quantity of narcotics seized.

Other co-accuseds similarly situated were enlarged on anticipatory bail.

In such circumstances, we are of the opinion that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985. Consequently, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the investigation 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4751 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)