

12.10.2022

Vacation Bench
SL No.26
S.Banerjee/s.biswas
(Allowed)

C.R.M. (A) 4857 of 2022

In Re: - An application for bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** P.S. Case No.**297 of 2020** dated **12.07.2020** under Sections **188/353/379/411/413/414/34** of the Indian Penal Code and Sections **21/22/23/24** of the NDPS Act.

And

In the matter of: **Molam Sk.**

....Petitioner

Mr. Jisan Iqubal Hossain

...for the Petitioner

Mr. Md. Anwar Hossain,
Mr. Palash Chanda Majhi

...for the State

It is submitted on behalf of the petitioner that no narcotic substance was recovered from his possession and the co-accuseds have been granted pre-arrest bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail of the petitioner. He submits petitioner was absconding for two years.

We have considered the materials on record. No proclamation and attachment had been issued against the petitioner. He stands on the same footing with co-accuseds who have been granted pre-arrest bail in CRM 2879 of 2021.

Keeping in mind the aforesaid facts, we are of the opinion that the petitioner may be granted similar relief.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of ₹10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)