

03.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5007 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. **192** of **2022** dated **15.08.2022** under Sections 20(b)/29 of the NDPS Act.

And

In Re : Soumitra Mondal

..... petitioner

Ms. Minoti Gomes

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Mr. Sanjoy Bardhan

Mr. C. R. Ghosh

....for the State

The police filed charge-sheet.

The petitioner is being proceeded in respect of a police case, which involves intermediate quantity of narcotics.

It is claimed on behalf of the police that there is a nexus between the petitioner and the person arrested with the narcotics on the basis of the statements recorded under Section 161 of the Code of Criminal Procedure.

Since, intermediate quantity of narcotic was seized and since the police filed charge-sheet and since the issue as to the involvement of the petitioner if any needs to stand trial, it would be appropriate to grant anticipatory bail to the petitioner.

In such circumstances, 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/-, 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)