

23.11.2022
Serial no.42
Aloke

CRM (A) 5390 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 231 of 2022 dated 14.06.2022 under Sections 379/411/188/120B of the Indian Penal Code and Section 27(a)/27(b)/27(c) of the Drugs and Cosmetics Act.

-And-

In the matter of : **Uttra Malik @ Uttara Mallik**

... .. Petitioner

Mr. Arnab Chatterjee, Advocate
Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate
Mr. D. Biswas, Advocate

... .. For the Petitioner

Mr. Sanjoy Bardhan, Advocate
Ms. Debjani Dasgupta, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Admittedly, certain drugs were seized. There are statements recorded under Section 161 of the Code of Criminal Procedure which claims that the petitioner is involved in the business of the trade in drugs.

No narcotics were seized from the possession of the petitioner.

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 will cooperate with the investigation and on further condition that the petitioners 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) 5390 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)