

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7938 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as Accused No.5 in the event of his arrest in Crime Occurrence Report No.38 of 2020 on the file of Station House Officer, Prohibition and Excise Station, Balanagar registered for the offence punishable under Section 20(b)(ii)(C) of NDPS Act.

2. Heard the learned counsel for the petitioner/Accused No.5 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. Learned counsel for the petitioner submits that this petitioner had nothing to do with the job in M/s.Rivigo Services Pvt.Ltd. He further submits that the petitioner had already resigned from the job and the seizure was subsequent to his resignation in the year 2020. He further submits that the charge sheet was already filed against Accused Nos.1 to 4 and this petitioner was shown as absconding in

the said charge sheet. The police stated that a separate charge sheet will be filed after his arrest.

4. Having regard to the facts and circumstances of the case, the petitioner/Accused No.5 can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.5 is granted anticipatory bail subject to the following terms and conditions:

i) The petitioner/Accused No.5 is directed to surrender before the Station House Officer, Prohibition and Excise Station, Balanagar within one week from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.5 shall appear before the investigating authorities as and when required for the purpose of investigation.

iii) The petitioner/Accused No.5 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 12.09.2022
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