

24.01.2023

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 324 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1127** of **2022** dated **03.10.2022** under Sections 21(b)/27(A)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Mithu @ Amir Hossain

..... petitioner

Mr. M. A. Chowdhury

....for the petitioner

Mr. Ranadeb Sengupta

....for the State

The State did not oppose the claim for parity with the other co-accused, who was enlarged on anticipatory bail by the order dated November 23, 2022 passed in CRM(A) 5378 of 2022.

Below commercial quantity of narcotic was seized from the person taken into custody.

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 further condition that the

petitioner shall meet the Investigating Officer once a fortnight 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)