

07.02.2023

S1.5
Court No.29
(AD)
(Allowed)

C.R.M. (A) 354 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 (corresponding to NDPS Case No.183/2022).

And

In the matter of: **Noji @ Md. Nojibur Rahaman**

....petitioner.

Mr. Mazhar Hossain Chowdhury

Ms. Mobashshara Alam

... for the petitioner.

Mr. T. D. Nandy

Mr. Antarikhya Basu

...for the State.

Petitioner prays for anticipatory bail.

Report as called for by the order dated January 30, 2023 filed in Court be taken on record.

At this stage, police are unable to demonstrate any nexus between the petitioner and the person arrested with the intermediate quantity of narcotics and/or seized intermediate quantity of narcotics.

The investigations are in progress.

Another co-accused was enlarged on anticipatory bail by the order dated November 23, 2022 passed in CRM (A) 5378 of 2022.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and 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 report before the Investigating Officer once a week 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 354 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)