

13.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 635 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.

And

In Re : Manjarul Haque

..... petitioner

Mr. Sagar Saha
Mr. Supriyo Mahajan
....for the petitioner

Mr. T. D.Nandy
Mr. Antarikhya Basu
....for the State

Petitioner stands on the same footing as that of the other co-accused, who was enlarged on anticipatory bail by the order dated February 7, 2023 passed in CRM(A) 354 of 2023.

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

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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)