

16.02.2023

Sl.73

Court No.29

(AD)

(Allowed)

C.R.M. (A) 706 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hasnabad** Police Station Case No.**688 of 2021** dated **21.11.2021** under Section **274** of the Indian Penal Code and under Section **27** of the Drugs and Cosmetics Act (corresponding to G.R. Case No.5043 of 2021).

And

In the matter of: **Mustakin Molla**

....petitioner.

Mr. Ayan Basu
Mr. Sandip Kumar Mondal
Mr. Sourav Bera
Mr. Sumit Routh
Ms. Riya Das

...for the petitioner.

Mr. Saryati Datta

...for the State.

Petitioner prays for anticipatory bail.

The police filed charge sheet.

Police at this stage are unable to demonstrate any nexus with the seized materials under the Drugs and Cosmetics Act.

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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 706 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)