

22.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 788 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **268** of **2022** dated **22.11.2022** under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Lushu Fakir @ Abdul Mondal & Anr.

..... petitioners

Mr. Kaushik Chaudhury

Ms. Busra Khatun

....for the petitioners

Mr. Sanjoy Bardhan

Ms. Debjani Dasgupta

....for the State

Police, apparently, seized intermediate quantity of narcotic.

The person, from whom, such narcotic was seized, was enlarged on statutory bail.

The investigations are yet to be concluded.

Apparently, the police are proceeding on the basis of the statement of the co-accused made while in custody.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 petitioners shall meet the Investigating Officer once a week till the conclusion of the investigation and on condition that the petitioners 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 petitioners 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.)