

03.03.2023
Serial no. 12
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 938 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **437** of **2021** dated **26.10.2021** under Sections **22(c)/29** of the NDPS Act, 1985, read with **27A** of the Drugs and Cosmetics Act.

-And-

In the matter of : **Rabiul Islam @ Babu Miya**
... .. Petitioner

Mr. Kaushik Chowdhury,
Ms. Busra Khatun, Advocates
... .. *For the Petitioner*

Mr. Ranabir Roychowdhury,
Mr. Mainak Gupta, Advocates
... ..*For the State*

The claim for parity with other co-accused who was enlarged on anticipatory bail by the order dated January 6, 2023 passed in CRM (A) 23 of 2023 is not being disputed on behalf of the State.

Consequently, we are inclined to 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 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 938 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)