

12.06.2023

Sl. 75

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2110 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Sagarpara** Police Station Case No. **76** of **2023** dated **24.03.2023** under Sections **21(c)/29** of the NDPS Act corresponding to NDPS case No. **39/2023**.

And

In the matter of: **Ershad Ali**

....petitioner.

Mr. Jisan Hossain
Ms. Chandrima Debnath
Mr. Karnel Mondal

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is stated to be similarly circumstanced with Sujana Sk. and another admitted to anticipatory bail vide order dated 03.05.2023 in CRM (A) 1750 of 2023. The implication of the petitioner is stated to be on the basis of statement of the co-accused from whom commercial quantity of contraband was seized.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, question of parity and the fact that the basis of implication of the petitioner is the statement of the co-accused, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Sagarpara P.S. case No. 76 of 2023 dated 24.03.2023 including the condition that the petitioner shall

not involve himself in similar or any other offence during currency of this order.

4. Within 21 days of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O. alongwith a copy of such order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2110 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

