

CRM (A) 2389 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.531 of 2022 dated 10-11-2022 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Mustafa Ali alias Mostafa Mia

.... Petitioner.

Mr. Sayan De,
Mr. Sayan Kanjilal

... For the Petitioner.

Mr. Ranadeb Sengupta

... For the State.

The allegation is under various sections of the Narcotic Drugs Psychotropic Substances Act. The petitioner says that he has no truck with the alleged incident. His name has transpired from statements of co-accused from whom recovery of contraband was made. He further says that another accused, standing on the same footing as the petitioner, has been granted anticipatory bail by this Court.

Learned advocate for the State corroborates that indeed an accused, similarly circumstanced, has been granted anticipatory bail.

On the ground of parity, we allow this application for anticipatory bail.

Accordingly, in the event of arrest, the petitioner, namely, **Mustafa Ali alias Mostafa Mia**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of

whom must be local, to the satisfaction of the arresting officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioner shall report to the Investigating Officer once a week till completion of investigation.

In case the petitioner fails to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM (A) 2389 of 2023 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)