

**12.07.2023**  
Sl. 19+21  
Court No. 29  
Sourav  
(Allowed)

**C.R.M. (A) 2616 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 NDPS Act.

And

In the matter of: **Mominul Mia @ Maminul Islam & Anr.**  
....petitioners.

**With**

**C.R.M. (A) 2647 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 NDPS Act.

And

In the matter of: **Minaul Miya @ Mainur Miya**  
....petitioner.

Mr. Kaushik Choudhury  
Ms. Busra Khatun

...for the petitioners  
in both the applications.

Mr. Swapan Banerjee  
Mr. Suman De

... for the State in  
CRM 2616 of 2023.

Ms. Faria Hossain  
Mr. Anand Keshari

...for the State in  
CRM 2647 of 2023.

1. Heard learned Counsel for the parties.
2. As both the bail applications arise out of the same P.S. Case, they are taken up together for disposal with consent of learned Counsel appearing for the parties.
3. It is fairly submitted at the Bar that 125 bottles of phensedyl was seized from the possession of two accused persons, namely, Anamul Hossain and Wasim Akram. The petitioners

in the aforesaid bail applications have been implicated on the basis of statement of aforesaid co-accused persons. This is an admitted position at the Bar.

4. There is stated to be no record of past criminal antecedent against the petitioners in the aforesaid bail applications.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and substantial progress in the investigation including the peculiarity of evidence, it is directed that each of the petitioners in the aforesaid bail applications shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that (i) the petitioners in the aforesaid bail applications shall appear before the I.O. once in a week on the day and time fixed by the I.O. till submission of F.F.
6. The petitioners in the aforesaid bail applications are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The applications being **CRM (A) 2616 of 2023** and **CRM (A) 2647 of 2023** are disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

**(Chitta Ranjan Dash, J.)**

**(Apurba Sinha Ray, J.)**

