

19.09.2023

SL. 8

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2687 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with NDPS Case No. **262** of **2021** dated **27.11.2021** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: **Rajiv Kumar @ Ragiv Kumar**

....petitioner.

Ms. Tapati Gupta
Mr. Suman Bhanja
Mr. Anurag Sardar

...for the petitioner.

Mr. Shiv Shankar Banerjee
Ms. Ekta Sinha

...for the Custom Authorities.

1. Heard learned Counsel for the parties.
2. It is fairly submitted at the Bar that the basis of implication of the present petitioner is the statement of the co-accused persons in a case of seizure of huge quantity of phensedyl.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer 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 petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of Final

Form.

ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O. during investigation.

4. Within 21 days from today, petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being **CRM (A) 2687 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

