

28.08.2023
ML. 548
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3369 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **433** of **2022** dated **30.05.2022** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: **Astik Mondal**

....petitioner.

Mr. Niladri Sekhar Ghosh
Mr. Tapodip Gupta
Mr. Sourav Mondal

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharya

... for the State.

1. Heard learned Counsel for the parties.
2. It is fairly submitted at the Bar that the basis of the implication of the present petitioner is the statement of the co-accused persons and nothing was seized from his conscious possession.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court, under NDPS Act, Berhampore, Murshidabad in G.R. Case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that the petitioner shall appear before the learned Trial Court on each

date of substantive hearing subject to provision of Section 317 Cr.P.C.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 3369 of 2023** is disposed of.
6. Learned Judge, Special Court, under NDPS Act, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

