

29.08.2023

SL. 64

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3441 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raninagar** P.S. Case No. **110 of 2023** dated **26.02.2023** under Sections **21(c)/29** of the NDPS Act pending before the learned Judge, Special Court (NDPS Act), Berhampore, Murshidabad.

And

In the matter of: **Ainal Sk @ Md. Ainal Hoque**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Binay Panda

Ms. Puspita Saha

...for the State.

1. Heard learned Counsel for both 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.
3. Charge-sheet is stated to have been filed.
4. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court (NDPS Act), Berhampore, Murshidabad within 15 days from today in the Spl. case arising out of aforesaid P.S. case. 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:
 - i) The petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.
5. The learned Judge, Special Court (NDPS Act) is directed to act upon the server copy of this order, if required.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3441 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

