

17.08.2023
Supp. Sl. No.16
akd
[ALLOWED]

C. R. M. (A) 3452 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 04.08.2023 in connection with Kaliachawk Police Station Case No. 1134 of 2022 dated 05.10.2022 under Sections 22(c)/27A/29 of the NDPS Act.

And

In Re: **Md. Maijur Sk. @ Maiju**

... .. Petitioner

Mr. Sandip Chakraborty
Mr. Kaustav Das

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

1. It is submitted on behalf of the petitioner that his father viz. Kuddus Sk. @ Abdul Kuddus has been granted pre-arrest bail. Accordingly, he prays for the same relief.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits witnesses stated petitioner and co-accused were involved in dealing in narcotics.
3. We have considered the materials on record. Narcotics was recovered from the room occupied by one Kalu Sk. Petitioner's father is the nephew of the said Kalu Sk who has been granted pre-arrest bail. In view of the aforesaid fact and the extent of involvement of the petitioner in the alleged crime, we are inclined to extend the same privilege to him.
4. Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Md. Maijur Sk. @ Maiju**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down

under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)