

18.09.2023
(M/L 80)
Ct. No.29
Allowed
(SKB)

CRM (A) 3687 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No.594 of 2022 dated 27.12.2022 under Sections 21(C)/22(C)/23(C)/27(A)/28/29 of the NDPS Act (NDPS Case No.5 of 2023).

In the matter of : Rahul Mia @ Tajmul Hossain
... Petitioner

Mr. Kaushik Chowdhury,
Ms. Busra Khatun
... for the petitioner

Mr. Swapan Banerjee,
Mr. Suman De
... for the State

1. Heard learned advocates 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 and there is no recovery of any contraband articles from the conscious possession of the present petitioner.
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 Special Judge under NDPS Act, Gangarampur, Dakshin Dinajpur in the NDPS Case No.5 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On his

surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 3687 of 2023 is disposed of.
6. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)