

22.09.2023
M/L 275
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3883 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.12 of 2023 dated 09.01.2023 under Sections 186/332/323/352 of the Indian Penal Code read with Sections 22(C)/25/29 of the NDPS Act.

In the matter of : Anarul Ali @ Haque

... Petitioner

Ms. Jenia Rudra,
Mr. Megha Chanda

... for the petitioner

Mr. Antarikhya Basu

... for the State

1. Heard learned advocates for the parties.
2. From the materials available on record, it reveals that the basis of implication of the present accused petitioner is the statement of the co-accused. However, prayer for anticipatory bail has been vehemently opposed by the learned advocate for the State.
3. Charge-sheet is stated to have been filed.
4. 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 (NDPS Act) cum Additional Sessions Judge, Balurghat, Dakshin Dinajpur in Special Case No.6 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 including the condition:

- i) He shall appear before the trial court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. The application being CRM(A) 3883 of 2023 is disposed of.

7. 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.)