

25.09.2023
SL. 18
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3912 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Azimganj GRPS** Police Station Case No. **06 of 2023** dated **03.05.2023** under Sections **20(b)(ii)(c)/29** of the NDPS Act.

And

In the matter of: **Jeker Ali & Anr.**

....petitioners.

Mr. Tapodip Gupta

...for the petitioners.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

1. Heard learned Counsel for both the parties.
2. The basis of implication of the present petitioners is the statement of the co-accused person. Admittedly nothing was seized from their possession.
3. Learned Counsel for the State, however, submits that against petitioner No. 1, Jeker Ali one case under Sections 399/402 IPC is pending and against petitioner No. 2, Abdul Sattar one case under Sections 20(C)/29 NDPS Act is pending. In both the cases respective trials are on.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that:

- i) The petitioners are directed to appear before the I.O. twice in a week on the day and time fixed by

the I.O. for the purpose of investigation till submission of F.F.

- ii) The petitioners shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O. during investigation.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3912 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

