

03.10.2023  
D/L 29  
Ct. No.29  
(Allowed)  
(SKB)

**CRM (A) 3960 of 2023**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.1008 of 2022 dated 28.11.2022 under Sections 21(C)/29 of the NDPS Act in Special Case No.194 of 2022.

In the matter of : Kush Singha

... Petitioner

Mr. Arup Kumar Bhowmick

... for the petitioner

Mr. Sanjoy Bardhan,  
Ms. Baishakhi Chatterjee

... for the State

1. Heard learned counsel for the parties.
2. It is fairly submitted at the Bar that no contraband has been seized from the present petitioner and the basis of implication of the petitioner is the statement of the co-accused. Further it is submitted at the Bar that the present petitioner is similarly circumstanced with one Jayram Singha who has been enlarged on anticipatory bail on 08.08.2023 in CRM (A) 2887 of 2023.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the Special Case No.194 of 2022 arising out of

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:

- i) The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
  - ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the IO during investigation.
4. Accordingly, the prayer for the anticipatory bail is allowed.
  5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
  6. The applications being CRM(A) 3960 of 2023 is disposed of.
  7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**