

03.10.2023
SL. 42
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3973 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Tapan** Police Station Case No. **238 of 2023** dated **22.04.2023** under Sections **21(c)/22(c)/23(c)/27A** of the NDPS Act.

And

In the matter of: **Jabbar Khan @ Jabbar Sarkar**

....petitioner.

Mr. Kaushik Chaudhury
Ms. Busra Khatun

...for the petitioner.

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta

...for the State.

1. Heard learned Counsel for both the parties.
2. It is fairly submitted at the Bar that no contraband was seized from the possession of the petitioner and basis of the implication of the present petitioner in the offence alleged is the statement of the co-accused.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:
 - i) The petitioner is 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 petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O. during investigation.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM (A) 3973 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

