

04.10.2023

SL. 36

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 4031 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **185** of **2023** dated **19.03.2023** under Sections **20(b)/29** of the NDPS Act (corresponding to NDPS Case No. 35 of 2023).

And

In the matter of: **Saddam Sk @ Sahen Ali @ Sahin Ali @ Sahin Sk.**

....petitioner.

Mr. Tapodip Gupta

Mr. Suman Bhanja

...for the petitioner.

Mr. Antarikhya Basu

... for the State.

1. Heard learned Counsel for the parties.
2. The basis of implication of the present petitioner is stated to be the statement of the co-accused. Further the quantity of ganja seized from the co-accused is far below commercial quantity being 3.245 kgs only.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court under NDPS Act, Berhampore, Murshidabad, in NDPS Case No. 35 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. Accordingly, the prayer for anticipatory bail is allowed.

5. The application being **CRM (A) 4031 of 2023** is disposed of.
6. Learned Judge, Special Court under NDPS Act, Berhampore, Murshidabad, is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

