

12.10.2023
M/L 59
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4150 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Patiram P. S. Case No.24 of 2023 dated 11.02.2023 under Sections 21(C)/22(C)/23(C)/27A of the NDPS Act (NDPS Case No.17 of 2023).

In the matter of : Rashu Sarkar

... Petitioner

Mr. Jay Chakraborty,
Kazi Sajjad Alam

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

1. Heard learned counsel for the parties.
2. It is fairly submitted at the Bar that the basis of implication of the present petitioner is the statement of the co-accused and nothing has been seized from the conscious or precarious possession of the petitioner.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation 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 NDPS Case No.17 of 2023 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) 4150 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.)