

20.11.2023
SL. 25
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 4306 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Samsherganj** Police Station Case No. **261** of **2021** dated **31.08.2021** under Sections **21(c)/29** NDPS Act (corresponding to NDPS Case No. 184 of 2021).

And

In the matter of: **Md. Obaidur Rahaman**

....petitioner.

Mr. Anisur Rahman

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata

... for the State.

1. Heard learned Counsel for the parties.
2. On perusal of the materials as placed before us, it appears that the basis of the implication of the present accused petitioner is the statement of the co-accused persons from whose possession, commercial quantity of narcotic substance (180 bottles of phensedyl) was seized.
3. Investigation is stated to have been completed in the meantime.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court under NDPS Act-cum-ADJ 5th Court, Berhampore, Murshidabad, in NDPS Case No. 184 of 2021 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 including the condition that petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C. with a further condition, the present petitioner shall not leave the territorial jurisdiction of the learned trial Court without obtaining prior permission of the learned trial Court during investigation.

5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being **CRM (A) 4306 of 2023** is disposed of.
7. Learned Judge, Special Court under NDPS Act-cum-ADJ 5th Court, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

