

**22.11.2023**  
SL. 27  
Court No. 29  
Suvayan  
(Allowed)

**C.R.M. (A) 4397 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Goalpokher** P.S. case No. **360 of 2022** dated **23.09.2019** under Section **21(C)** of the NDPS Act arising out of NDPS Case No. **71 of 2022** pending before the learned Judge Special Court (NDPS Act), Raiganj, Uttar Dinajpur.

And

In the matter of: **Rakib Alam @ Rakib**

....petitioner.

Ms. Minoti Gomes  
Ms. Chandrima Debnath

...for the petitioner.

Mr. Antarikhya Basu

...for the State.

1. Heard learned Counsel for both 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 recovered from the possession of the petitioner.
3. Regard being had to 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 (NDPS Act), Raiganj, Uttar Dinajpur within 15 days from today in the NDPS Case No. 71 of 2022 arising out of aforesaid P.S. case. On his appearance and application for bail the petitioner 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:
  - i) The petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.

4. The learned Judge Special Court (NDPS Act), Raiganj, Uttar Dinajpur is directed to act upon the server copy of this order, if required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 4397 of 2023** is disposed of.

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

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

