

29.11.2023
tkm/ct 28
spl no. 52

C.R.M. (A) 4699 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kaliachak P.S case no. 1285 of 2023 dated 26.9.2023 under sections 21(C)/27A/29 of the NDPS Act
And

Allowed

In Re : Banu Sk @ Md. Banu Sekh & Ors. petitioners

Mr. P Ganguly

..... for the petitioners

Mr. Saryati Datta

..... for the State

1. Petitioners submit no narcotics was recovered from their possession. They have been falsely implicated in the case. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail. He submits that the statement of co-accused from whom narcotics was recovered shows there were telephonic conversations with the petitioners. Money was also transacted through electronic channel. In view of the materials collected in the course of investigation, we are of the opinion custodial interrogation of the petitioners is necessary to test the veracity of the accusation.
3. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.
4. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the

conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

5. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

6. The application being CRM (A) 4699 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)