

19.12.2023
ML. 85
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 4756 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **346** of **2023** dated **21.03.2023** under Sections **21(c)/29** of the NDPS Act (corresponding to NDPS Case No. 43 of 2023).

And

In the matter of: **Bablu Mandal**

....petitioner.

Md. Wasim Akram

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Soumik Ganguli

... for the State.

1. Heard learned Counsel for the parties.
2. The basis of implication of the present petitioner is the statement of the co-accused person named Prafulla Mandal who was arrested with the contraband.
3. Charge-sheet is stated to have been filed 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 Additional Sessions Judge, 4th Court – cum – Special Court (under NDPS Act), Malda in NDPS Case No. 43 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 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) 4756 of 2023** is disposed of.
7. Learned Additional Sessions Judge, 4th Court – cum – Special Court (under NDPS Act), Malda is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Ajay Kumar Gupta, J.)

