

01.12.2023
tkm/ct 28
sl no.75

C.R.M. (A) 4914 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kalichak P.S case no. 199 of 2021 dated 19.2.2021 under sections 27(A) of the Drugs & Cosmetics Act and 21(c)/29 of the NDPS Act
And

Allowed

In Re : Abu Bakkar @ Barkat Mia petitioner

Mr. K Saha

..... for the petitioner

Mr. Saryati Datta

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. No narcotics was recovered from the petitioner. His complicity has transpired from the statement of co-accused before a police officer which is inadmissible in evidence. Another co-accused Abu Salam has been granted pre-arrest bail. Hence, similar relief may be extended to the petitioner also.
3. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.
4. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.
5. The application being CRM (A) 4914 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)