

09.06.2023
Court No.01
Item No. 40

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (A) 296 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 45 of 2023 dated 15.02.2023 under Section 18(c) of the NDPS Act.

And

In Re: **Gouranga Mondal**

Petitioner

Mr. Hillol Saha Poddar

Ms. Mousumi Das

For the Petitioner

Mr. Aditi Shankar Chakraborty

Mr. Biswarup Roy

For the State

The learned Counsel for the petitioner submits that the petitioner is of advanced age and he was unaware of the cultivation of opium poppy of his land and he is innocent.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that approximately 1000 opium poppy plants were found in the land being cultivated by the petitioner. The record of right has also been produced before us to show that the land belongs to the petitioner.

Considering the age of the petitioner and on an undertaking that he would cooperate with the investigation and on further undertaking that he would surrender before the learned Trial Court within two weeks from date and shall obtain regular bail, he may not be arrested for a period of two weeks from date and shall obtain regular bail from the learned Trial Court within the aforesaid period. The petitioner shall also meet the I.O. twice in a week. The learned Trial

Court shall consider the prayer for bail and shall consider the materials that may be available by the IO.

CRM (A) 296 of 2023 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)