

13.02.2024

54

Ct. No. 29

S.D.

Allowed

C.R.M.(A) 459 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tapan** Police Station Case No. **238 of 2023** dated **22.04.2023** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Mona Tudu @ Manik Tuddu @ Mana Tudu
..... petitioner

Ms. Busra Khatoon
...for the petitioner

Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. M. F. A. Begg
...for the State

Claim of parity with other co-accused who were enlarged on anticipatory bail by the order dated October 3, 2023 passed by a Coordinate Bench in C.R.M. (A) 3973 of 2023 is not being disputed on behalf of the State.

In such circumstances, we are of the view that the petitioner is able to overcome the restrictions of Section 37 of the N.D.P.S. Act.

Consequently, we grant anticipatory bail to the petitioner.

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. The petitioner will report before the Investigating Office once a week till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)