

13.02.2024

DL-88

Court No.29

(AD)

(Allowed)

C.R.M. (A) 493 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Panchla** Police Station Case No. **258 of 2023** dated **05.08.2023** under Sections **20(b)(ii)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985(T.R. Case No.24 of 2023).

And

In the matter of: **Rajesh Khan**

....petitioner.

Mr. Mrityunjoy Chatterjee

Mr. Debapriya Majumder

Mr. Akash Sarkar

Mr. Manas Das

Mr. Arindam Poali

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Santanu Deb Roy

...for the State.

Police filed charge sheet.

Apparently, police are proceeding on the basis of the statement of the co-accused made while in custody.

Seized narcotics is below commercial quantity.

In such circumstances, 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/- (Rupees Ten Thousand Only), with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 493 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)