

09.04.2024

84
S.D./A.D.
Allowed

C.R.M. (A) No. 1162 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 399 of 2023 dated 13.09.2023 under Sections 21(C)/29 of the Narcotic Drugs Psychotropic Substances Act, 1985 pending before the learned Additional District & Sessions Judge, 2nd Court cum Judge Special court under the N.D.P.S. Act at Berhampore, Murshidabad.

And

In Re : Osman Sk @ Md Osman Saikh petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Paulami Bose

.....for the petitioner

Mr. Arani Bhattacharya

....for the State

1. Petitioner submits no narcotics was recovered from his possession. Co-accused similarly circumstanced with the petitioner has been granted anticipatory bail. Hence, the petitioner is entitled to similar relief.
2. 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 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.

3. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)