

18.04.2024
Item No.51
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1245 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patiram** Police Station Case No. **190 of 2023** dated **13.09.2023** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs and Psychotropic Substances Act and charge sheet has been submitted being Charge Sheet No.9 of 2024 dated 28.01.2024 under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 pending before the Learned Special Judge (under NDPS Act)-cum-ADJ 3rd Court, Balurghat, Dakshin Dinajpur.

And

In the matter of : Parvej @ Jahangir @ Ramjan @ Ramjan Ali Mondal
..... petitioner

Mr. Kaushik Choudhury,
Ms. Busra Khatun
....for the petitioner

Mr. Atif Ahmed Siddiqui
....for the State

Petitioner prays for anticipatory bail.

Police filed charge-sheet.

Claim for parity with the co-accused who was enlarged on anticipatory bail by the order dated March 1, 2024 passed in CRM(A) 718 of 2024 is not being disputed on behalf of the State.

In such circumstances, we are of the view that the petitioner is able to over the restrictions under Section 37 of the N.D.P.S. Act, 1985.

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/- (Rupees Ten Thousand only), 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1245 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)