

22.4.2024
SL No. 424
Ct No. 29
Srimanta /SB

C.R.M. (A) 1302 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** P.S. Case No. 30 of 2023 dated 05.2.2023 under Sections 21(c) / 22 (c)/ 23 (c) / 27A of the N.D.P.S. Act.

And

In the matter of: Rahul Pramanik

....Petitioner

Mr. Anindya Ghosh
Ms. Sumita Sarkar
Mr. Pronojit Roy

...for the Petitioner

Mr. Prasun Kumar Dutta
Mrs. Shaila Afrin

...for the State

1. Police filed charge sheet.
2. Police at this stage are unable to demonstrate any nexus between the petitioner and the person arrested with the commercial quantity of narcotics.
3. In such circumstances, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.
4. Consequently, we grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest the petitioners 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 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.

6. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)