

19.04.2024
Item No.23
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1293 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hingalganj** Police Station Case No. **232** of **2023** dated **18.10.2023** under Sections **21(c)/27** of NDPS Act, and Sections **14A(b)/14C** of Foreigners Act, pending before the Learned Additional District and Sessions Judge, 6th Court, Barasat, North 24 Parganas.

And

In the matter of : Saiful Sardar @ Paychu @ Panchu
..... petitioner

Mr. Kallol Kumar Basu,
Md. Jannat ul Firdous
....for the petitioner

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

Petitioner prays for anticipatory bail.

Claim for parity with the other co-accused who was granted anticipatory bail by the order dated March 11, 2024 passed in CRM(A) 858 of 2024 is not being disputed on behalf of the State.

Police filed charge-sheet.

In such circumstances, we are of the view that, petitioner is able to overcome 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) 1293 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)