

**22.04.2024**  
DL-391  
Court No.29  
(SKB/SB)  
(Allowed)

**C.R.M. (A) 1399 of 2024**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No.**72 of 2023** dated **07.04.2023** under Sections **21(c)/22(c)/23(c)/27A** of the NDPS Act.

And

In the matter of: **Alam Mandal @ Mondal**

....petitioner.

Mr. Koushik Chowdhury,  
Ms. Bursra Khatun

...for the petitioner.

Mr. Binoy Kumar Panda,  
Mr. Sachit Talukdar

... for the State.

Claim of parity with other co-accused who were granted anticipatory bail is not being disputed on behalf of the State.

Police apparently are proceeding against the petitioner on the basis of the statement of the co-accused made while in custody.

Under such circumstances, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the investigation and on further 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

**C.R.M. (A) 1399 of 2024** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**