

21.05.2024
Item No.14
Ct. No. 3
CHC
Allowed

C.R.M.(A) 1708 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. **451** of **2023** dated **17.10.2023** under Sections **21(C)/29** of the Narcotic Drugs and 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 the matter of : Anowar Hossain @ Jehedi & anr.

..... petitioners

Mr. Arnab Chatterjee,
Ms. Poulami Bose

....for the petitioners

Ms. Baisali Basu,
Ms. Puja Goswami

....for the State

Petitioners pray for anticipatory bail.

Police filed charge-sheet.

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

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

Consequently, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1708 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)