

15.07.2024
Court No.29
Item No. 10

Allowed

sg

CRM (A) 2345 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 606 of 2023 dated 09.12.2023 under Section 21(c)/29 of the NDPS Act, pending before the learned Judge, Special Court, Berhampur, Murshidabad.

And

In Re: **Sajab Ali**

Petitioner

Mr. Jisan Iqbal Hossain

For the Petitioner

Mr. Joydeep Roy

Ms. Pinki Sarkar

For the State

1. Claiming parity with the co-accused person, namely, Samim Sk @ Md. Samim Reza, a prayer for anticipatory bail is made.
2. The learned Counsel for the State has not denied that the present petitioner is standing on the same footing as the co-accused person namely, Samim Sk @ Md. Samim Reza, who has been granted anticipatory bail on 30th January, 2024 in CRM(A) 23 of 2024.
3. Keeping in view that the petitioner is standing on the same footing as that of the co-accused person, we extend the same benefit to the petitioner also and we allow the prayer for anticipatory bail of the present petitioner.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Sajab Ali**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of learned Arresting Officer and also subject to conditions as laid down under Section 438(2) of the Code

of Criminal Procedure and on condition that the petitioner shall report before the Investigating Officer once in 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 2345 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)