

Court No. 29
(266041)

CRM (A) 2627 of 2024

05.08.2024

(A 33)

(S. Banerjee)

(Allowed)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Baishnabnagar Police Station Case No. 135 of 2023 dated 01.03.2023 under Sections 21(c)/29 of the NDPS Act, 1985, pending before the learned Sessions Judge, Malda.

And

In the matter of: **Rauf Sk. @ Sk. Rauf Ali**

...petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman

... for the petitioner

Mr. Atif Ahmed Siddiqui

... for the State

1. Heard the learned counsel for the parties.
2. Claiming parity with co-accused Rabban Sk and others who have been enlarged on anticipatory bail in CRM(A) 2437 of 2024 on 27th July, 2024, a prayer for anticipatory bail is made on behalf of the petitioner.
3. Learned counsel for the State in all fairness submits that the petitioner stands on the same footing as that of the other co-accused.
4. In view thereof, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner (Rauf Sk. @ Sk. Rauf Ali) shall be released on bail

upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, one of whom must be local, 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, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. The petitioner shall cooperate with the investigation and appear before the learned Judge, Special Court, Additional District Judge 4th Court at Malda under NDPS Act, within two weeks from date and the petitioner not intimidate witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid court on and from the date fixed for appearance of the accused.
7. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this court.
8. Accordingly, the application for anticipatory bail is allowed.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)