

06.08.2024
Sl No.73
Court No.29
TN
(Allowed)

CRM (A) 2693 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hili Police Station Case No. 201 of 2023 dated 21.10.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In the matter of : **Naru Das**

.... petitioner

Mr. Kaushik Choudhury,
Ms. Busra Khatoon

....for the petitioner

Ms. Zareen Khan,
Mr. Sobhan Gani

... for the State

1. Considering the fact that the name of the petitioner transpired from the statement of the co-accused during police custody, the petitioner is able to rebut the statutory presumption under Section 37 of the NDPS Act and accordingly, we are inclined to grant anticipatory bail to the petitioner.
2. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Naru Das** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also 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 BNSS, 2023.

3. The petitioner shall meet the Investigating Officer once in a week or as and when required till submission of the final report and shall not leave the jurisdiction of District Dakshin Dinajpur without the prior permission of the Investigating Officer till submission of the final report.
4. It is further directed that the present accused petitioner shall appear before the learned Special Court (under NDPS Act)-cum-Additional District Judge, Third Court, Dakshin Dinajpur at Balurghat within two weeks from date and pray for regular bail.
5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)