

12.08.2024

Court No.29

Item No. 18

Allowed

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CRM (A) 2731 of 2024

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station Case No. 477 of 2024 dated 02.07.2024 corresponding to NDPS Case No. 08 of 2024 under Sections 21(c)/ 29 of the Narcotics Drugs and Psychotropic Substances Act..

And

In Re: **Sourav Aown @ Saurav Aown**

Petitioner

Mr. Mrityunjoy Chatterjee

Ms. Debapriya Majumder

For the Petitioner

Mr. Sujan Chatterjee

For the State

1. Pursuant to the fact that the name of the petitioner appeared from the statement of the accused during police custody, which is not admissible in evidence, we are of the view that the petitioner is able to rebut the presumption under Section 37 of the NDPS Act.
2. Accordingly, we direct that in the event of arrest, the petitioner namely, **Sourav Aown @ Saurav Aown** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer once in a week till the submission of the final report and shall not leave the District Howrah without express leave of the jurisdictional Court. The petitioner shall appear before the learned Special Court under NDPS Act within two weeks from date. 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.

3. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
4. 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)