

12.09.2024
SL No.25
Court No.29
(gc)
(Allowed)

CRM (A) 3258 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 Kaliachak Police Station Case No.220 of 2024 dated 24.02.2024 under Sections 21(c)/25/27A/29 of the NDPS Act, 1985.

And

In the matter of : **Avijit Mandal @ Sumon Mandal**

- Petitioner.

Md. Wasim Akram

....For the Petitioner.

Mr. Kaushik Kundu,

Ms. Diksha Ghosh

... For the State.

1. The learned Counsel for the petitioner submits that claiming parity with the co-accused, Mofakkar, who was enlarged on bail by an order dated 19th June, 2024 passed by a Coordinate Bench in CRM (NDPS) 956 of 2024, the present petitioner may be granted anticipatory bail.
2. The learned Counsel for the State in usual fairness admits that the present petitioner is standing on the same footing as that of Mofakkar, who have been enlarged on bail on 19th June, 2024.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Avijit Mandal @ Sumon Mandal**, shall be released on bail upon furnishing a bond of Rs.25,000/-, 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 Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall meet the I.O. once in a week till the submission of the final report.

5. It is further directed that the petitioner shall appear before the learned Judge, Special Court, Additional District Judge, 4th Court at Malda in connection with NDPS Case No.16 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)