

10.01.2024
Item No.23
Ct. No. 29
CHC
Allowed

C.R.M.(A) 4825 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patiram** Police Station Case No. **199** of **2023** dated **24.09.2023** under Sections **20(b)(ii)(B)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Tanmay Mahanto @ Tanmay Mahanta & ors.
..... petitioners

Mr. Kaushik Choudhury,
Ms. Busra Khatun
....for the petitioners

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Soumik Ganguli
....for the State

Below commercial quantity of narcotics were recovered from the possession of the co-accused.

Police are unable to establish any nexus between the petitioners and the person arrested with narcotics or seized commercial quantity of narcotics.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on

further condition that petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 4825 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)