

01.02.2024
DL.34
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5043 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No.**10 of 2023** dated **19.01.2023** under Section **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs and Psychotropic Substances Act, (NDPS Case No.8 of 2023).

And

In the matter of: **Chandan Mali @ Gobinda**

....petitioner.

Mr. Kaushik Choudhury
Ms. Busra Khatun
Mr. Avijit Kabir

...for the petitioner.

Mr. Soumik Ganguli

... for the State.

Report as called for by the order dated January 24, 2024 filed in Court be taken on record.

Report does not speak of any complicity between the petitioner and/or seized commercial quantity of narcotics.

In such circumstances, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on condition that the petitioner will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5043 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)