

30.01.2024

Serial no. 491 ML

Anticipatory bail

[Allowed]

Dd

CRM (A) 5209 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. **183** of **2023** dated **04.09.2023** under Sections **20(b)(ii)(B)** of the NDPS Act, 1985.
(NDPS Case No. 66 / 2023)*

-And-

*In the matter of : **Hemonta Roy @ Anup Roy**
... .. **Petitioner***

*Mr. Kaushik Chaudhury,
Ms. Busra Khatoon, Advocates
... .. For the Petitioner*

*Mr. Swapan Banerjee,
Mr. Goutam Wilson, Advocate
... ..For the States*

Persons working under the co-accuseds claimed that the petitioner before us is engaged in the business of narcotics.

Apparently, intermediate quantity of narcotic was seized from two co-accuseds.

In such circumstances, considering the materials in the case diary and the fact that intermediate quantity of narcotic was seized, 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 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 the petitioner shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5209 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)