

19.02.2024

Serial no. 81

Anticipatory Bail

[Allowed]

Dd

CRM (A) 5509 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. **172** of **2023** dated **20.09.2023** under Sections **20(b)(ii)** of the NDPS Act, 1985.*

-And-

In the matter of : **Kajal Khan & Anr.**

... .. **Petitioners**

Mr. Kaushik Chaudhuri,

Ms. Busra Khatoon, Advocates

... .. *For the Petitioners*

Mr. Debabrata Chatterjee,

Mr. Goutam Banerjee, Advocates

... ..*For the State*

Report submitted in Court be taken on record.

Intermediate quantity of narcotic was seized. No person was arrested.

Case diary does not contain compelling articles establishing nexus between the petitioner and the seized 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 the petitioners shall report before the Investigating Officer once in a week till the conclusion of the

investigation and on further 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.

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

CRM (A) 5509 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)