

04.01.2024
Sl.35
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5721 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1335 of 2022** dated **19.11.2022** under Sections **379/411/413/414** of the Indian Penal Code, 1860 and Sections **21(c)/27A/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 corresponding to NDPS Case No.191 of 2022.

And

In the matter of: **Khudus Mia @ Kuddus Ali & Anr.**

....petitioners.

Md. Wasim Akram

...for the petitioners.

Mr. Ranadeb Roy Chowdhury

Mr. S. Kundu

...for the State.

Prayer for anticipatory bail on the ground of parity with other co-accuseds extended such facility by the order dated May 8, 2023 passed in CRM(A) 1793 of 2023 is not being disputed on behalf of the State.

Police filed charge sheet.

In such circumstances, we extend the same facility 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5721 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)