

20.02.2024

COURT : 01
ITEM : 25
MATTER : 438
STATUS : ALLOWED
BENCH-ID : 1370
TRANSCRIBER : NANDY

**CIRCUIT BENCH OF CALCUTTA
HIGH COURT AT
JALPAIGURI**

CRM (A) 72 of 2024

In Re:- An application for **anticipatory bail** under section **438** of the Code of Criminal Procedure filed on December 15, 2023 in connection with Mekhliganj Police Station Case No. 45 of 2023 dated 15.02.2023 under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act (NDPS Case No. 12 of 2023)

And

In the matter of: **Jotindar Mandal @ Jatindra Nath Mandal**

...Petitioner

Ms. Madhushri Dutta, Advocate

.....for the Petitioner

Mr. Abhijit Sarkar, Advocate

Mr. Chattu Roy, Advocate

...for the State

1. Apprehending arrest in connection with Mekhliganj Police Station Case No. 45 of 2023 dated 15.02.2023 under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act, the petitioner has filed the instant application for anticipatory bail.
2. It appears that the co-accused who stand on the same pedestal that of the petitioner was given an immunity from arrest for a limited period of two weeks with the conditions they he would seek a regular bail from the concerned Court. Since the present petitioner stands on the same footing that of the other co-accused namely Gouranga Mondal, who has been extended the benefit of pre-arrest vide order dated 09.06.2023 in CRM (A) 296 of 2023, we do not find any justification in not extending the similar benefit to the petitioner.
3. The prayer for anticipatory bail thus **allowed**.
4. Therefore, on an undertaking that the petitioner would cooperate with the investigation and on further undertaking that he would surrender before the Trial Court within two

weeks from date and shall obtain regular bail, he may not be arrested for a period of two weeks. The petitioner shall also meet the I.O. twice a week.

5. The Trial Court shall consider the prayer for bail and shall consider the materials that may be available by the I.O..
6. The application for anticipatory bail being **CRM (A) of 72 of 2024** is **disposed of**.

(Harish Tandon, J)

(Supratim Bhattacharya, J)