

**In the High Court At Calcutta
Jalpaiguri Circuit Bench**

CRM (A) 792 of 2024

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Jaigaon Police Station** Case No. **26 of 2024** dated **31.01.2024** under Sections **21(c)/25/29** of the NDPS Act.

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In the matter of : Adarsh Limboo

.... Petitioner.

Mr. Hillol Saha Poddar,

... For the Petitioner.

Mr. Abhijit Sarkar,

Mr. Dhiman Sil,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that there was no recovery of contraband items from him. He has been implicated on the basis of the statements made by co-accused persons. He is fully prepared to cooperate with further investigation, if any. He prays for anticipatory bail.

2. Opposing the prayer, learned Advocate for the State says that the petitioner fled from the place of occurrence. His complicity in the crime is evident from the material on record. However, he admits that there was no recovery from the possession of the petitioner.

3. On an overall assessment of the material on record and considering that charge sheet has been filed upon completion of investigation, we are of the view that immediate custodial

interrogation of the petitioner may not be necessary, so long as he is prepared to cooperate with further investigation, if any.

4. Accordingly, in the event of arrest, the petitioner, namely, **Adarsh Limboo** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioner shall report to the Officer in Charge of the concerned Police Station once in a fortnight until further orders.

5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Biswaroop Chowdhury, J.)**

(**Arijit Banerjee, J.)**