

18.12.2024
(D/L 32)
Ct. No.1
(Allowed)
(BKN)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M.(A) 1012 of 2024

In Re:- An application for anticipatory bail under Section 482 of the B.N.S.S, 2023 in connection with Coochbehar Kotwali P. S. Case No. 1041 of 2024 dated 09.10.2024 under Sections 21(c)/29 of NDPS Act corresponding to NDPS Case No. 82 of 2024, pending before the Court of Ld. District & Sessions Judge, Coochbehar.

In the matter of : Sourav Paswan @ Pasman
... Petitioner

Mr. Subhasish Misra,
Mr. Satyajit Paul
... for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Sourav Ganguly
... for the State

1. Heard learned counsel for the petitioner and the learned counsel for the State.
2. There is recovery of fourty nine bottles of cough syrup having codeine phosphate from a person. The accused from whom the recovery has been made has stated about being on business terms with two other persons including the petitioner.
3. It is submitted by the learned counsel for the petitioner that even if the statement of the accused from whom the recovery has been made is taken at its face value, the same does not connect the petitioner with the present recovery, as it merely indicates an acquaintance.

4. Learned counsel for the State submits that the petitioner's name has been stated by the accused from whom contraband has been recovered.
5. Considering the rival submissions, the nature of statement which we have seen from the case diary, the fact that the petitioner has no prior antecedents and also the fact that there is no recovery whatsoever of any contraband substance from the petitioner, we are inclined to grant the prayer for anticipatory bail.
6. Accordingly, it is directed that in the event of arrest the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure, 1973, with a further condition that the petitioner shall attend the learned Court below on all the dates fixed for hearing.
7. It is further directed that the petitioner shall not tamper with evidence and/or influence the witnesses in any manner whatsoever.
8. In the event, the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned Court below shall be at liberty to cancel his bail without any further reference to this Court.

9. Accordingly, the prayer for the anticipatory bail is allowed.
10. Within 15 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
11. The application being CRM(A) 1012 of 2024 is disposed of.
12. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)