

27.02.2025

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Allowed

C.R.M. (A) No. 698 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Palashipara Police Station Case No. 450 of 2022 dated 27.12.2022 under Sections 20(b)(B)/29 of the NDPS Act.

And

In Re : Mithun Sk. @ Mithun Sekh petitioner

Mr. Asraf Mandal
Mr. Tanbir Mandal

.....for the petitioner

Mr. Bitashok Banerjee
Mr. Debanshu Ghorai

....for the State

1. Heard the learned advocates for the parties.

2. We have considered the materials on record.

Narcotics recovered from co-accused is below commercial quantity. No narcotics was recovered from the petitioner. His complicity has transpired from the statement of the co-accused before police officer which is inadmissible in evidence. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

3. Accordingly, we direct 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall

appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

4. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)