

**In The High Court at Calcutta
In the Circuit Bench at Jalpaiguri**

07.01.2025
SK/ct. 1
sl no. 2

CRM(A)/933/2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with GR Case No.819/2021 in Sahebganj Police Station Case No.600 of 2024 dated 15.10.2024 under sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: BIRBAL SEKH petitioner

Mr. P.Roy,
Mr. Sabir Ali,
Mr. Naser Ali,
Ms. Sohii Kundu,

..... for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy,

..... for the State

This is an application for anticipatory bail.

Considering the materials on record and the fact that there has been no recovery from the petitioners and in view of the fact that the only evidence against the petitioner is the statement of co-accused, we are inclined grant anticipatory bail to the petitioner.

The prayer for anticipatory bail stands allowed.

In the event of arrest of the petitioner, namely, Birbal Sekh 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 condition that he shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper

with evidence in any manner whatsoever or commit similar offences in future.

It is further directed that the petitioner shall meet the Investigating Officer of the case every week until further orders.

In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This order shall remain operative for a period of four weeks from date within which the petitioner shall surrender before the Trial Court. The Trial Court is at liberty to consider the prayer for bail on its own merits without being influenced by any observations made by this Court.

With the above directions, CRM(A)/933/2024 stands allowed.

(Ravi Krishan Kapur, J.)

(Uday Kumar, J.)