

**HIGH COURT OF TRIPURA
AGARTALA
AB 38 OF 2020**

HON'BLE MR.JUSTICE ARINDAM LODH

Present:

For the petitioner (s) : Mr. S. Banik, Advocate.

For the respondent(s) : Mr. S. Debnath, Addl. P.P.

Order

23.03.2020

Heard Mr. S. Banik, learned counsel appearing for the petitioner and Mr. S. Debnath, learned Addl. P.P. appearing for the State-respondent.

This is an application under Section 438 of Cr.P.C. for granting pre-arrest bail of the accused-petitioner, namely, Sri Biswajit Debnath, in connection with R.K.Pur P.S. Case No.02 of 2020, corresponding to Special (NDPS) 01 of 2020, pending in the Court of the learned Special Judge, Court No.2, Gomati Tripura, Udaipur under Section 21/29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel appearing for the petitioner submits that the matter involves small quantity of seizure of contraband articles.

If it is a case of small quantity, the accused-petitioner is entitled to get the benefit of bail. But before me, this is a petition under Section 438 of Cr.P.C. for granting anticipatory bail. I am not inclined to release the accused-petitioner on anticipatory bail. However, the petitioner is directed to surrender before the competent Court and pray for bail.

If it is found that it is a case of seizure of small quantity of contraband articles, then the learned competent Court shall decide the bail application in accordance with law.

The bail application accordingly stands disposed with the aforesaid terms.

JUDGE

