

27.06.2019.
Item No.23
(Rejected)
ab

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 305 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23.04.2019 in connection with Sahebganj Police Station Case No. 249 of 2017 dated 08.12.2017 for commission of offence punishable under Sections 20(b)(11)/21(C) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : Indrajul @ Andadul Sekh and others.

... petitioners.

Mr. Sudip Guha.

...For the petitioners.

Mr. Arun Kumar Sarkar,
Mr. Abhijit Sarkar.

...For the State.

Heard the learned Advocates appearing on behalf of the parties.

Apprehending arrest in the connection with Sahebganj Police Station Case No. 249 of 2017 dated 08.12.2017 for commission of offence punishable under Sections 20(b)(11)/21(C) of the Narcotic Drugs and Psychotropic Substances Act, the petitioners have filed the instant application for anticipatory bail.

According to the petitioners, they have been falsely implicated in the instant case simply on the disclosure of the names by one of the co-accused, who has already been enlarged on bail. It is further submitted that they are the villagers and have no nexus with the alleged offence or the

paddling of drugs across the border and after submission of charge-sheet custodial interrogation is not necessary for them.

We have perused the case diary and the materials available therefrom including the statement of the co-accused, the extent of complicity of the petitioners to the alleged offence cannot be ruled out at this stage.

The application for anticipatory bail of the petitioners is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)