

15.09.2020
(21) KC

C.R.M. 6548 of 2020
With
CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Englishbazar Police Station Case No. 1184 of 2019 dated 26.11.2019 under Sections 8(c) read Section 22(c) of the N.D.P.S. Act.

In the Matter of : Faijul Sk.

.... petitioner.

Mr. Sovan Dasgupta.....For the petitioner.

Md. Anwar Hossain,

Ms. Sreyasi Biswas.....For the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that the petitioner has been proceeded against on the basis of the statement of the persons arrested in connection with an N.D.P.S. case. However, the State points out that it is the petitioner herein who purchased the ticket of principal accused Md. Nurul from Kolkata to Imphal and the petitioner's role in the transaction is quite clear and apparent. Though a person named by an accused in an N.D.P.S. case usually qualifies to obtain bail unless contraband is recovered from his person, the nexus between the petitioner herein and the contraband recovered appears to be clear and undeniable. In such circumstances, there appears to be sufficient material

against the petitioner to detain him notwithstanding contraband not having recovered from his person.

CRM 6548 along with the interim application therein are disposed of.

(SANJIB BANERJEE, J.)

(ANIRUDDHA ROY, J.)