

24.09.2020
(26) KC

C.R.M. 6722 of 2020
With
CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for bail under Section 438 of the Code of Criminal Procedure in connection with Hilli Police Station Case No. 03 of 2020 dated 04.01.2020 under Sections 411 and 414 of the Indian Penal Code read with Sections 21(c), 22(c), 23(c), 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985

In the Matter of : Ahinur Ali Mondal
.... petitioner.

Mr. Avishek Prasad.....For the petitioner.

Mr. Anwar Hossain,
Ms. Ratna Ghosh.....For the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within forty eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

In this application for anticipatory bail learned counsel for the State submits that no narcotic was recovered from the possession of the petitioner. The alleged offence took place in January, 2020.

The alleged offence is under the Narcotic Drugs and Psychotropic Substances Act, 1985 read with other provisions of the Indian Penal Code. If the police has not arrested the petitioner so far, it is for the police to satisfy themselves about the involvement of the petitioner and then

take a decision whether to arrest him or not in accordance with law. This duty is cast on the police by the Code of Criminal Procedure.

This application for anticipatory bail in the above facts and circumstances is misconceived and disposed of by the above observations.

CRM 6722 of 2020 and the interim application filed therein are disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)