

21.09.2020

Item No.31

Ct.No.11

dc.

Rejected

C.R.M. 6834 of 2020

C.R.A.N. 1 of 2020

(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Swarupnagar P.S. Case No. 777 of 2019 dated 23.09.2019 under Sections 21(c) read with Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Habibulla Biswas ... Petitioner.

Mr. Soumya Banerjee ... For the Petitioner.

Md. Anwar Hossain ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioner submits that the petitioner has been implicated on the basis of the statement of the co-accused and there has been no recovery from his possession or from his known addresses.

Learned advocate for the State opposes the prayer of the petitioner and submits that the petitioner fled away from the place of occurrence and in the instant case charge-sheet

has already been submitted with harsher process of law pending against this particular petitioner.

We have considered the materials on record and having considered the fact that commercial quantity of codeine mixture is the subject matter of the case, we are of the opinion that this is not a fit case for granting anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

CRM 6834 of 2020 and CRAN 1 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)