

25.09.2020

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CRM 7167 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Special Case No.25 of 2016 arising out of the S.I.s.S.L No.24/15-16 dated 15.01.2016 under Section 18(C) of the Narcotic drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Ashutosh Mandal.**

....Petitioner.

Ms. Sonali Das

...for the Petitioner.

Mr. Narayan Prasad Agarwala
Ms. Subhshree Patel

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week 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 does not own any land and, as such, the petitioner cannot be accused of cultivating any poppy.

The State says that the petitioner has been absconding for three years and if the petitioner is excused at this stage, the entire case will fail.

Considering the petitioner's conduct, the prayer for anticipatory bail is refused. However, the petitioner will be entitled to seek regular bail, if arrested.

CRM 7167 of 2020 and the interim application are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)