

Serial no.49.
September 25, 2020.
SG

CRM 7232 of 2020
with
CRAN 1 of 2020

In Re. An application for bail under Section 438 of the Code of Criminal Procedure in connection with Tapan Police Station Case No.103 of 2019 dated 16.05.2019 under Sections 21(c)/22(c)/23(c)/27A of NDPS Act.

In the matter of: Mobarak Hossain @Ali and ors
...petitioners.

Mr Kaushik Choudhury
... for the petitioners.

Mr Sanjay Bardhan
Ms Sayanti Santra
... for the State.

The petitioners undertake 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 petitioners claim that no recovery of any contraband was made from them.

The State says that those who were initially arrested upon drugs being found in their possession, named these petitioners. However, there does not appear to be any independent material against these petitioners other than the uncorroborated statements of those who were initially arrested.

The petitioners are entitled to anticipatory bail.

In the event of arrest, the petitioners are directed to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners will also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7232 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)