

30.09.2020

Sl. No.20

Ct-11

BM

CRM 7323 of 2020

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I.A No.:CRAN/1/2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Balurghat Police Station case No.351 of 2018 dated 24.10.2018 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act, 1985(corresponding Special case no.52 of 2018).

And

In the matter of : Bhoja @ Bhajan Das

... Petitioner

Mr. Kaushik Choudhury ... for the petitioner

Mr. Sanjoy Bardhan

Mr. C. R. Ghosh ... for the State

The learned advocate for the petitioner submits that the petitioner is innocent and has only been implicated in the case on the basis of statement of the co-accused.

Mr. Bardhan, learned advocate for the State opposes the prayer for bail and produces the memorandum of evidence. On enquiry Mr. Bardhan is unable to satisfy us that there has been any incriminating material except the statement of the co-accused.

Having considered the materials available with the investigating agency/prosecuting agency for implicating the present petitioner, we are of the opinion that custodial detention of the present petitioner is not necessary.

Accordingly, prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only)

each with two sureties of like amount each, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being CRM 7323 of 2020 and I.A. No.: CRAN/1/2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)