

08.10.2020
SL No.11
Court No.10
am

CRM 7424 of 2020
CRAN 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 **Special Case No.67/2017** and **S.I.s S.L. No.126/2015-16** dated **06.02.2016** under Section **18 (c)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Rabiul Sk.**

....Petitioner.

Mr. Angsuman Chakraborty

...for the Petitioner.

Mr. Prasun Dutta, Ld.APP

...for the State.

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

Accordingly, the application being CRAN 1 of 2020 is disposed of.

It is submitted that the petitioner is not the owner of the land and the persons similarly placed have been granted anticipatory bail by this Court on 3rd April, 2019. Learned counsel in this regard has relied upon an order passed in CRM 3429 of 2019 dated 3rd April, 2019 in the matter of Samiruddin Sk. & Ors.

Learned counsel appearing on behalf of the State opposes the prayer for bail. However it is submitted that the petitioner is not the owner of the land.

Having heard the learned counsel for the parties and considering the materials on record and in view of the extent of complicity and involvement of the petitioner in the commission of the alleged offence and also having regard to the fact that all the co-accused persons are on bail, we are inclined to allow the prayer for anticipatory bail of the petitioner. In the event of arrest the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioner shall meet the I.O. of the case once a week.

The application for anticipatory bail being CRM 7424 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)