

ADDL 25.
November 17, 2020.
SG

CRM 7540 of 2020
IA No.CRAN 1/2020

In Re. An application for bail under Section 438 of the Code of Criminal Procedure in connection with Special Case No.16 of 2016 arising out of S.I.s S.L. No.40/15-16 dated 11.01.2016 under Sections 18(c) of NDPS Act.

In the matter of: Bhikhu Mondal @ Bhikshu Mandal
...petitioner.

Mr Arnab Saha

... for the petitioner.

Mr Swapan Banerjee
Ms Sima Biswas

... for the State.

The petitioner undertakes 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 case is of 2016. The petitioner claims to have responded to a notice under Section 67 of NDPS Act, but the State says that it does not appear that the petitioner ever appeared before the investigating officer. It is also the petitioner's case that the petitioner's appearance has not been endorsed or recorded by any police official.

The State says that the petitioner has been absconding for nearly 30 months and the petitioner is undoubtedly the joint owner of the parcels of land on which poppy cultivation was undertaken.

Considering the conduct of the petitioner, the prayer for anticipatory bail is refused. The petitioner will be entitled to seek regular bail upon surrendering.

CRM 7540 of 2020 along with CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)