

CRM 7936 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No.328 of 2020, dated 17.09.2020 under Sections 27 (a)(b) of the Drugs and Cosmetics Act, 1940, and under Sections 22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Arman Ali and others**

...Petitioners.

Mr. B. Banerjee

...for the petitioners.

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi.

...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 though no recovery of any contraband was made from the person of the petitioners, the investigating agency has proceeded against the petitioners merely on the basis of the statement of a person arrested with contraband on his person.

The State says the investigation is at a nascent stage. The State says that as of now it is only as the statement of a person arrested, but the State hopes to unearth material against the petitioners in due course. On the basis of the material now available, the petitioners cannot be arrested. In the event, there is

concrete evidence unearthed against the petitioners, an application for cancellation of bail may be filed.

In the event of arrest, the petitioners will be enlarged on bail upon furnishing security 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 and will also respond to the queries raised by the investigating officer.

CRM 7936 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)