

20.11.2020.

Item No. 50

ap

**C.R.M. 8609 of 2020
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.10.2020 in connection with Gangarampur Police Station Case No. 201 of 2020 dated 24.06.2020 under Sections 22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Shera @ Sirajul Miah & Ors. ...Petitioners

Mr. Mazahar Hossain Chowdhury. ...For the petitioners

Ms. Zareen N. Khan,
Mr. Pradipta Ganguly.For the State

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

The petitioners complain that merely because a person arrested with contraband in his possession named the petitioners, he has been subsequently arrested.

The State produces the case records. It does not appear that there is any material against the petitioners other than the statement of the person originally arrested with contraband in his possession.

Since no recovery was made from the petitioners and there is no independent material against them other than the State claiming their involvement in other matters, the petitioners are entitled to anticipatory bail.

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 should abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 8609 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)