

**CRM 8749 of 2020
(Via Video Conference)**

In re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with a proceeding being special case no. 109/2016 (ref:- S.I.'s S.L. no. 133/15-16 dated 17.02.2016) of Excise, Sadar R.P.U., Malda under Sections 8(b)/29/46/18(C) of the Narcotic Drugs and Psychotropic Substances Act.

In the matter of : **Musharaf Sk. @ Musaraf Sekh**
..... petitioner

Mr. Mounick Ghosh
....For the petitioner

Mr. Rana Mukherjee, Ld. APP
Mr. Santanu Chatterjee
.....For the State

The petitioner is entitled to the same benefit as others similarly placed. There is no dispute that at least another co-accused persons has been enlarged on anticipatory bail by this Court on June 18, 2020 in CRM 4079 of 2020.

Though the State says that the petitioner has been absconding for a considerable period of time, considering the nature of the charges and the fact that the charge-sheet has already been filed, there may not be any immediate need to take the petitioner to custody.

Subject to the above, in the event of arrest, the petitioner should be released on furnishing security of Rs.10,000/- (Rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioner will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 8749 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)