

02.12.2020
Court No.3
SL No.76
AP

CRM 9622 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sahebganj** P.S. Case No.**345 of 2020** dated **15th August, 2020** under Sections **20(b)(ii)(C)** of the NDPS Act.

And

In the matter of: **Mafijul Haque**

....Petitioner.

Mr. Sabir Ahmed,
Mr. Mujibar Ali Naskar,
Mr. Apan Saha

...for the Petitioner.

Mr. Arun Kumar Sarkar,
Mr. Sourav Ganguly

...for the State.

It is submitted on behalf of the petitioner that he suffered an accident while riding his motorcycle on 12th August, 2020. Subsequently the police sought for an illegal gratification, which he refused. Accordingly, he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner was transporting narcotic substance above commercial quantity when he met with an accident. He fled but the contraband was recovered.

We have considered the materials on record. Plea with regard to the purported accident on 12th August, 2020 is not supported by contemporaneous records. No complaint was also lodged by the petitioner with regard to alleged illegal gratification. There are statements with regard to the seizure of narcotic substance above commercial quantity. In view of the aforesaid facts, we are of the opinion custodial interrogation of the petitioner is necessary for progress of investigation.

The application for anticipatory bail is, thus, rejected.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)