

21.01.2021
Court No.28
Item No. 155
Krishnendu
ALLOWED

C.R.M. 273 of 2021

(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Ratan Mandal**

.....Petitioner

Mr. Mounick Ghosh

....For the Petitioner

Mr. Narayan Prasad Agarwala

Mr. Ashok Das

.....For the State

Apprehending arrest in connection with a proceeding, being Special Case No. 34/2016 (Ref:- S.I's S.L. No. 94/15-16 dated 19.01.2016) of Excise, Sadar R.P.U. Malda under sections 18(c)/8(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner is innocent of the charges and he has been falsely implicated because he is the co-sharer of a land wherein allegedly, according to the prosecution, there was poppy cultivation.

Mr. Agarwala, learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioners have been evading the process of law for about five years.

Having heard the learned advocates appearing for the respective parties and upon considering the materials on

record, we are inclined to extend the privilege of anticipatory bail to the present petitioner.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, **Ratan Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No. 273 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)
Chakraborty, J.)

(Tapabrata