

12.04.2021

CRM 845 of 2021

Court No.28

(Via Video Conference)

Item 273

sg

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with S.I.s S.L. No. 126/15-16 dated 06-02-2016 Chanchal Excise Circle, Malda under Section 8(b)/29/46/18(c) of the NDPS Act.

Sekh Ejahar & Ors.

Versus

The State of West Bengal

Allowed

Md. G.N. Imrohi, Adv.

...for the Petitioners.

Mr. Swapan Banerjee, Adv.

Mr. Suman De, Adv.

...for the State.

At the inception, the learned Advocate for the petitioners submits that he does not intend to proceed with the application in respect of the petitioner nos. 1, 2 and 3. As such, the prayer on behalf of the petitioner nos. 1, 2 and 3 is dismissed as not pressed. So far as the application in respect of the petitioner nos. 4 and 5 is concerned, we find that similarly placed accused persons have been extended the benefit of anticipatory bail by the co-ordinate Benches in CRM 379 of 2019 vide order dated 4th February, 2019; CRM 3429 of 2019 vide order dated 3rd April, 2019; CRM 4947 of 2019 vide order dated 18th June, 2019 and CRM 5043 of 2019 vide order dated 10th July, 2019.

As none appeared on behalf of the State, Mr. Swapan Banerjee, learned Advocate along with his junior Mr. Suman De, learned Advocate is engaged in this case on behalf of the State. The learned Public Prosecutor is directed to regularise them.

Having regard to the aforesaid, we allow the prayer for anticipatory bail of the present petitioners on the same conditions as granted earlier.

Accordingly, we direct that in the event of arrest the petitioners nos. 4 and 5,

namely, Nesh Mohammad and Sona Bibi, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, subject to the satisfaction of the arresting officer and also subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that they shall appear before the court below and pray for regular bail within a period of fortnight from date.

The prayer for anticipatory bail is allowed.

CRM 845 of 2021 is, thus, disposed of.

All parties shall act on the server copy of the order.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)

