

27.04.2021
Item No.289
Ct.No.28
s.d.
Allowed

C.R.M. 1011 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Hamid Sk @ Hamed Sk & Ors.** ... Petitioners.

Mr. Mounick Ghosh

... For the Petitioner.

Mr. Imran Ali
Mr. Pratick Bose

... For the State.

Apprehending arrest in connection with Special Case No. 74/2016 (ref:- S.I.'s S.L. No. 32/15-16 dated 12.02.2016) of Excise, Sadar R.P.U., Malda under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act, the present application has been preferred.

Heard the learned advocates appearing for the parties.

Records reveal that similarly placed co-accused persons were already been granted anticipatory bail on 18-06-2020 in C.R.M. 4076 of 2020. In view thereof, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioners,

namely, 1. **Hamid Sk @ Hamed Sk** 2. **Mumtaz Sk @ Muntaj Sk**.
3. Taslik Sk @ Taslim Sk shall be released on bail upon furnishing a bond 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The present order shall remain valid for a period of eight weeks from date. In the meantime, the petitioners shall appear before the learned Special Judge under the NDPS Act, Malda and pray for regular bail.

The application for anticipatory bail, being CRM 1011 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)