

27.05.2021
Court No.28
Item No. 02
Krishnendu
Allowed

**CRM 1099 of 2021
(Via video Conference)**

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

In Re : **Neshu Sekh & Ors.**

Petitioners

Mr. Angshuman Chakraborty
Mr. Bhaskar Chatterjee

For the Petitioners

Mr. Saibal Baspuli
Mr. S.S. Imam
Mr. Subrato Roy

For the State

Apprehending arrest in connection with S.I.s S.L. No.
126/15-16 dated 6.2.2016 Chanchal Excise Circle, Malda under
sections 8(b)/29/46/18(c) of the N.D.P.S. Act (N.D.P.S. Case No.
67 of 2016), the present application has been preferred.

Mr. Chakraborty, learned advocate appearing for the
petitioners submits that the petitioners have been falsely
implicated. Co-accused persons, similarly situated with the
petitioners, had already been granted anticipatory bail.

The learned advocate appearing for the State does not
dispute the fact that co-accused persons, similarly situated with
the petitioners, had already been granted anticipatory bail.

In view thereof and on the ground of parity and considering
the allegations as levelled, we are of the opinion that custodial
detention/ interrogation of the petitioners is not warranted in the
facts and circumstances of the case. As such, the prayer for
anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Neshu Sekh, Sentu Sekh and Sajiruddin Sk. @ Sejahar Sekh**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 be valid for a period of six weeks from date and in the meantime the petitioners shall appear before the learned Court below and pray for regular bail.

The application for anticipatory bail, being CRM No. 1099 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.

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)