

29.07.20
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(Via Video Conference)

Court
No.28
Item

CRM 1329 of 2021

No.384
(ALLOWE
D)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Special Case no. 74 of 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 NDPS Act, 1985;

Saswata
&
ab

And

In the matter of : **Fitter Sk. @ Fitu Sekh**

...Petitioner

Mr. Mounick Ghosh

...For the Petitioner

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharyya

...For the State

Apprehending arrest in connection with with Special Case no. 74 of 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 NDPS Act, 1985, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

We have heard learned counsels for the petitioner as well as the State.

We have perused the contentions advanced in the application for anticipatory bail and we find that similarly placed accused have been granted anticipatory bail in CRM 3175 of 2020 and CRM 2970 of 2020.

Having due regard to the aforesaid fact, we are inclined to extend the provisions of Section 438 of the Code of Criminal Procedure in favour of the petitioner.

Accordingly, the petitioner would furnish a bond of Rs.1000/- (Rupees Ten Thousand only), to the satisfaction of the arresting officer and shall not tamper with evidence and/or intimidate witnesses. The aforesaid order of anticipatory bail will be subject to the conditions as provided under Section 438 (2) of the Code of Criminal Procedure.

CRM 1329 of 2021 is, accordingly, ***disposed of.***

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)

