

09. 22.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 2194 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **25/02/2021** in connection with **NCB Crime No.03/NCB/KOL/2017** dated **21/01/2017** under Sections **18(b)** of the N.D.P.S. Act, 1985. (N.D.P.S. Case No. 02/2017).

And

In the matter of: - **Kamal Ghosh**

...petitioner.

Ms. Minoti Gomes,
Mr. Kaushik Biswas

...for the petitioner.

Mr. Y.J. Dastoor, Ld. A.S.G.,
Mr. Phiroze Edulji,
Mr. Sagar Saha

...for the U.O.I.

The petitioner says that there was no recovery of contraband items from him. His name has transpired from statements made by co-accused persons from whom recovery was made.

Learned Additional Solicitor General appearing for the Narcotics Control Bureau says that four notices under Section 67 of the Narcotic Drugs and Psychotropic Substances Act, 1985 were sent to the petitioner. He did not respond to any of them. He has been absconding since 2017 when the case was registered. The trial is over and judgment has been delivered.

In view of the aforesaid and the less than helpful conduct of the petitioner, we see no reason to entertain the petitioner's application for anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. 2194 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)