

08.06.2021
AJ./S.B.,ct 28
Sl no. 90.

C.R.M. 3172 of 2021

(Via Video Conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 07.04.2021 in connection with Special Case No. 25 of 2016 arising out of S.I.s S.L. No. 24/15-16 dated 15.01.2016 under Sections 18(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985 for violation of Section 8(b) of the Act.

And

In Re : **Joydeb Mandal.** petitioner.

Ms. Kalidas Saha. ... for the petitioner.

Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. N.P. Agarwala. ... for the State.

The application under Section 438 of the Code of Criminal Procedure has been filed apprehending arrest in connection with Special Case No. 25 of 2016 arising out of S.I.s S.L. No. 24/15-16 dated 15.01.2016 under Sections 18(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985 for violation of Section 8(b) of the Act.

Counsel for the State submits that he petitioner has been absconding since 2016.

Counsel for the petitioner submits that his client is ordinarily a resident of Mumbai where he works as a daily wager. He submits that his brother and other co-accused have been granted regular bail.

This Court is unable to accept the view of the Counsel for the petitioner that he was not aware of the case against his client or that his brother has not informed him of the same till date.

In view of the above, the application for anticipatory bail being C.R.M. 3172 of 2021 is, thus, dismissed.

There shall be no order as to costs.

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

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)

