

C.R.M. 3351 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **13/04/2021** in connection with **Hili** P.S. Case No. **41 of 2021** dated **11/03/2021** under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic substances Act.

And

In the matter of: Ranjan Barman

....petitioner.

Mr. Kaushik Choudhury,
Ms. Busra Khatoon

...for the petitioner.

Mr. Rana Mukherjee, APP,
Mr. Saryati Datta

...for the State.

The application for anticipatory bail under Section 438 CrPC has been filed apprehending arrest in connection with Hili P.S. Case No. 41 of 2021 dated 11.03.2021 under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic substances Act, corresponding to Special Case No. 21 of 2021.

It is submitted by the counsel for the petitioner that his client was not arrested at the first instance and he was nowhere found during the first instance. It is further submitted that the petitioner could not have been implicated in the N.D.P.S. case at all.

Counsel for the State submits that the petitioner had fled away from the spot at the time of arrest. It is further submitted that the local residents have given statements to the effect that the petitioner used to ply the auto rickshaw van in the area. Admittedly a sum of 121 bottles 'phensedyl' have been recovered from the E Rickshaw of the petitioner.

Having considered the entire gamut of the facts of the case and having heard the counsel for the parties, this court is not inclined to grant bail under Section 438 CrPC and the application stands dismissed.

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.)