

04.10.2021
Serial no. 71
Dd

(Through Video Conference)

CRM 3577 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **47** of **2016** dated **01.02.2016** under Sections **18** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Rakibuddin Sk. @ Rakimuddin Sekh**
... **Petitioner**

Mr. Mounick Ghosh, Advocate
... ... For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi, Advocates
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that considering the age of the petitioner who is 74 years' old and that the police submitted charge sheet, custodial interrogation of the petitioner is not required. He points out that other co-accused was granted anticipatory bail.

Learned advocate appearing for the State submits that the petitioner is the owner of a plot and that the petitioner indulged in cultivation of poppy seeds.

Considering the materials in the case diary and considering that the police submitted charge sheet and considering the age of the petitioner and considering the fact that other co-accused were granted anticipatory bail, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand

Only) with two sureties of like amount each, 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 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioner shall appear before the jurisdictional court on every date fixed for hearing.

Prayer for anticipatory bail is **allowed**.

CRM 3577 of 2021_is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)