

16.12.2021
Sl. No.10
akd
[Rejected]

C. R. M. 3911 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.05.2021 in connection with Malda Police Station Case No.359 of 2020 dated 29.06.2020 under Sections 21(c)/29 of the NDPS Act and Sections 18(b)/27 of the Drugs & Cosmetics Act.

And

In Re: ***Md. Sainul Sekh***

... .. Petitioner

Mr. Milon Mukherjee .. Sr. Advocate

Mr. Sandip Chakraborty

... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor

Mr. Bitasok Banerjee

... .. for the State

Petitioner renews his prayer for pre-arrest bail. It is submitted on behalf of the petitioner that no seizure had been effected from his godown.

Learned advocate appearing for the State produces the case diary and opposes the prayer for anticipatory bail.

We have considered the materials on record including the seizure list with regard to seizure on 2nd July, 2020 wherefrom it appears that 100 bottles of *phensedyl syrup* containing *codeine mixture* was recovered from the godown of the petitioner.

In view of the aforesaid fact, we find no reason to reconsider the prayer for pre-arrest bail of the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

