

**CRM 6705 of 2021
(Via Video Conference)**

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 544 of 2020 dated 11.07.2020 under Sections 27 of the Drugs & Cosmetics Act read with Sections 14(A)/14(B)/14(C).

- A n d -

In the matter of : Rohan Singha @ Dabbu @ Gourchand Singha
.... Petitioner.

Mr. Kalidas Saha

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta

... For the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that no contraband was recovered from the possession of the petitioner. The petitioner was falsely implicated on the basis of the statements of the co-accused. One of the co-accused, Ziaul Haque, was granted bail in CRM No.1799 of 2021 on May 31, 2021. He contends that since the police submitted charge-sheet, custodial interrogation of the petitioner is not necessary.

State is represented.

Considering the fact that no contraband was recovered from the possession of the petitioner, we are of the view that the petitioner is able to rebut the presumption under Section 37 of the N.D.P.S. Act, 1985.

Considering the fact that the police submitted the chargsheet and considering the fact that another co-accused was granted anticipatory bail, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure, 1973. The petitioner shall meet the Investigating Officer once in a month until further orders and shall appear before the jurisdictional court on the dates fixed for trial and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)