

08.03.2022

Court No.32

rpan/ **23**

CRM (A) 551 of 2022

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In re: **Muklesur @ Mukles Mondal @ Maklesur**

- Petitioner

Mr. Arnab Chatterjee,

Mr. Anisur Rahman

... for the Petitioner.

Mr. Ranadeb Sengupta

... for the State.

Apprehending arrest in connection with Jalangi Police Station Case No.198 of 2021 dated 20.07.2021 under Sections 22(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the present application.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that there had been no recovery of contraband substance above commercial quantity from the possession of the petitioner and his name has transpired on the basis of the statement of a co-accused. As such, the statutory restrictions are not attracted and he may be granted anticipatory bail.

Mr. Sengupta, learned advocate appearing for the State submits that the petitioner has criminal antecedents. Prior to the present case, he was involved in four other cases, out of which three were pertaining to contraband substance.

He further submits that there had been a recovery of five thousand pieces of Yava tablets. Let the report, as produced, be kept on record.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the seriousness of the offence, the quantum of contraband substance seized and the criminal antecedents of the petitioner, we are not inclined to exercise discretion in his favour. As such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM (A) 551 of 2022 is, thus, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)