

13.04.2022

21
Ct. No. 29
KAUSHIK
REJECTED

C.R.M.(A) 1705 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kumarganj** Police Station Case No. **186** of **2017** dated **19.09.2017** under Sections 21/22/23/25 of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Rabbani Sarkar @ Mukul

..... petitioner

Mr. Anindya Ghosh

....for the petitioner

Mr. Ranadeb Sengupta

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner is a member of a Panchayat and belongs to a rival political party and, therefore, was sought to be illegally framed by the police. He submits that, the petitioner obtained anticipatory bail in two of the other cases lodged against the petitioner. In the present case, no recovery was made from the possession of the petitioner. The petitioner is sought to be proceeded against on the basis of the statement of the co-accused made while in custody.

Learned advocate for the State submits that, there are number of criminal antecedents so far as the petitioner is concerned. In the present case, proclamation was issued on July 2, 2021 against the petitioner. The police case is of 2017. The petitioner is absconding since then.

Considering the long absconsion of the petitioner and considering the fact that the petitioner never approached the Court for pre-arrest bail subsequent to the lodgment of the police case, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 1705 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)