

23.02.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 789 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **216** of **2022** dated **18.09.2022** under Sections 20(b)(ii)/21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Swapan Mahato @ Swapan Das

..... petitioner

Mr. Kaushik Chowdhury

Ms. Busra Khatun

....for the petitioner

Mr. Ranabir Roychowdhury

Mr. Sandip Chakraborty

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, no recovery was made from the petitioner.

Learned advocate appearing for the State submits that, apart from the present police case, there are two other police cases as against the petitioner involving the provisions of the NDPS Act, 1985. He refers to the materials in the case diary.

Investigations are yet to be concluded.

With the present police case, there are in aggregate three police cases as against the petitioner involving NDPS Act, 1985. In one of the police cases, the petitioner was enlarged on anticipatory bail. The petitioner is claimed to be absconding in respect of another.

In such circumstances, considering the absconsion of the petitioner in respect of one of the police cases, the materials in the case diary, the gravity of the offence and the involvement of

the petitioner therein, 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) 789 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)