

08.09.2023

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[REJECTED]

C. R. M. (A) 3677 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with NDPS Case No.03 of 2023 arising out of Kaliachak Police Station Case No. 11 of 2023 dated 04.01.2023 under Sections 21(C)/27A/29 of the NDPS Act and charge sheet submitted under Sections 27A/29 of the NDPS Act.

In Re: ***Golam Mostafa @ Akhtar.***

... .. Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das.

... .. for the petitioner

Mr. Antarikhya Basu.

... .. for the State

1. It is contended no narcotics was recovered from the possession of the petitioner. Investigation is complete. He prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail. He contends recovery was made from a room of the petitioner's brother. Petitioner's brother has implicated him in the crime. Petitioner did not co-operate with the investigation and was not interrogated.

3. We have considered the materials on record. Recovery was made from the room of the petitioner's brother. Petitioner did not co-operate with the investigation. Custodial interrogation of the petitioner is necessary during further investigation to determine the role of the petitioner in the crime.

4. Hence, we are not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)