

18.09.2023
M/L 77
Ct. No.29
(Dismissed)
(SKB)

CRM (A) 3684 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with NCB Crime No.01/NCB/KOL/2023 of 2023 dated 03.01.2023, in connection with NDPS Case No.01 of 2023 under Section 8(c) read with Section 20(b)(ii)(c) of the NDPS Act, 1985.

In the matter of : Shri Chhaattul Sah
@ Chattul Shaw

... Petitioner

Mr. Soumyajit Das Mahapatra

... for the petitioner

Mr. Kallol Mondal,
Mr. Pradyut Saha

... for the NCB

1. Heard learned counsel for the parties.
2. The reports submitted by learned counsel for the NCB be taken on record.
3. It is found from the order dated 10.08.23 passed by learned Additional Sessions Judge-cum-Judge Special Court (NDPS) Act, Hooghly, that proclamation and order of attachment have already been issued against the petitioner under Sections 82 and 83 of the Cr.P.C. This anticipatory bail application having been filed after the issuance of proclamation is not maintainable in view of the judicial dictum.
4. According, the application being CRM(A) 3684 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)