

18.03.2024
Item No.14
Ct. No. 29
CHC

C.R.M.(A) 931 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with NDPS Special Case No.114 of 2016 under Section 18 of the NDPS Act, 1985 arising out of Gazole Police Station Case No.80 of 2016 dated 16.02.2016.

And

In the matter of : Makhan Lal Das & ors.

..... petitioners

Mr. Bikram Mandal

....for the petitioners

Mr. Ashok Das

....for the State

The police case is dated February 16, 2016.

Police filed charge-sheet on November 15, 2017.

Petitioners are not named in the charge-sheet as accused.

These facts were drawn to the attention of the learned advocate for the petitioners. Despite the same, he proceeded to make elaborate argument claiming that petitioners are being hounded out by the police.

In view of the police filing charge-sheet in 2017 and petitioners coming with a prayer for anticipatory bail in respect of a police case of 2016 when charge-sheet was filed in 2017, in which such charge sheet they are not named as accused, it would be appropriate to dismiss the petition with costs.

Petitioners will pay costs assessed at Rs.1 Lakh to the West Bengal State Legal Services Authorities within seven days from date. Petitioners will produce documentary evidence of payment of such costs to the District Magistrate. In the event,

such documentary evidence is not filed with the District Magistrate within time stipulated, District Magistrate will proceed to collect the costs from the petitioners as arrears of land revenue.

Learned advocate for the State will communicate this order to the District Magistrate for compliance.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)