

12.12.2024
Sl. No.19
akd
[Rejected]

C. R. M. (A) 4325 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 03.12.2024 in connection with Kaliachak Police Station Case No.723 of 2024 dated 23.05.2024 under Sections 21(c)/25/27A/29 of the NDPS Act.

And

In Re: **Ashok Ghosh**

... .. Petitioner

Mr. Subhadeep Ghosh
Mr. Agnik Maulik
Ms. Papiya Bhowmik

... .. for the petitioner

Mr. Ranadeb Sengupta
Ms. Debolina Das

... .. for the State

1. It is submitted on behalf of the petitioner no narcotics was recovered from his possession. His complicity has transpired from statement of co-accused before a police officer which is inadmissible in evidence. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits over 2 kgs. of *Heroin* was recovered from co-accused. During interrogation, co-accused revealed the name of one Jagadish Mandal and the petitioner. On arresting Jagadish further recoveries were made.
3. We have considered the materials on record. Over 2 kgs. of *Heroin* was recovered from co-accused. He revealed the name of the petitioner and one Jagadish Mandal. Petitioner had absconded and did not join the investigation. Jagadish was arrested and recoveries have been made from him. Under such circumstances, there is possibility of further recovery through custodial interrogation of the petitioner during

further investigation of the case. Hence, we are not inclined to grant anticipatory bail to him.

4. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)