

31.07.2020
Ct.08
RP 17

CRM 5024 of 2020
CRAN 3261 of 2020
Via Video Conference

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Sahebganj Police Station Case No.491 of 2018 dated 14.11.2018 under Section 20(b)(ii)(c) of NDPS Act.

In Re: **Mofizul Hoque** Petitioner
Versus
State of West Bengal

Mr. Anisur Rahaman, Adv.
..... For the Petitioner
Mr. Aditi Sankar Chakraborty, Adv.
Ms. Salini Sikdar, adv.
..... For State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Though it is submitted on behalf of the petitioner that no contraband article was recovered from the possession of the petitioner and BSF people recovered 41 Kilogram of ganja in a sack from outside the house of the petitioner and he has been falsely implicated in this case, however, on perusal of the materials on record it is ascertained that the narcotic drug was recovered from the house of the petitioner and he is still absconding since 2018. On such consideration we are of the view that this is not a fit case to grant anticipatory bail.

CRAN 3261 of 2020 is allowed and CRM 5024 of 2020 is rejected.

A certified copy of this order be immediately made available to the petitioner, subject to compliance with all requisite formalities.

(Bibek Chaudhuri, J.)

(Soumen Sen, J.)