

**CRM 8796 of 2020
(Via Video Conference)**

In re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Monteswar P.S. Case No. 145 of 2020 dated 09.06.2020 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

In the matter of : **Jagannath Ghosh**

..... petitioner

Mr. Santanu Maji

....For the petitioner

**Ms. Faria Hossain
Ms. Sonali Das**

.....For the State

The petitioner claims that the investigating agency has proceeded against the petitioner because of the petitioner's political affiliation. The petitioner says that upon the petitioner obtaining anticipatory bail in connection with a previous false complaint, a grievous charge has been brought against him.

The State says that commercial quantity of contraband was recovered from the person of the petitioner. The seizure-list is produced which bears the signatures of the two independent witnesses. The statement of one of the independent witnesses is placed.

On the basis of the seizure-list and the statement of the independent witness, it has to be accepted at this stage that commercial quantity of contraband was recovered from the person of the petitioner. However, the statement of the independent witness appears to be so perfect that it arouses

suspicion. Nonetheless, in view of the bar under the Act of 1985, the petitioner cannot be shown any latitude.

CRM 8796 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)