

**CRM 9272 of 2020
(Via Video Conference)**

In re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ramnagar P.S. Case No. 112 of 2019 dated 19.08.2019 under Sections 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act.

In the matter of : **Sobraj Kaji @ Raj**

..... petitioner

Mr. Subrata Santra

....For the petitioner

Mr. Sanjoy Bardhan

Mr. C. R. Ghosh

.....For the State

The State says that commercial quantity of contraband was recovered from the possession of the petitioner. The petitioner claims that he has been blatantly framed as he was before the ACJM, Alipore in connection with another case at the relevant point of time.

The petitioner says that the CCTV footage has been sought from the appropriate authorities, but the same has not been provided.

As of now, there is nothing to suggest that the petitioner may have been framed or that the petitioner could not have been present at the place where the contraband is said to have been seized from the petitioner. However, in the event the petitioner is able to obtain adequate material, his prayer may be renewed. If there is any CCTV footage of the area around the court of the ACJM, Alipore of the relevant date, the same must be made available to the petitioner. If the CCTV footage is not made

available, an adverse inference may be drawn against the prosecution at the time of the trial.

The prayer for bail is rejected at this stage.

CRM 9272 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)