

18.12.2020
Sl. No.121
akd
[Rejected]

C. R. M. 9734 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.11.2020 in connection with Malda Police Station Case No.359 of 2020 dated 29.06.2020 under Sections 21/29 of the NDPS Act and Sections 18(b)/27 of the Drugs and Cosmetics Act.

And

In Re: **Sainul @ Saminur Sk.**

... .. Petitioner

Mr. Bikash Ranjan Bhattacharyya .. Sr. Advocate

Mr. Uday Sankar Chattopadhyay .. Advocate

Mr. Suman Sankar Chatterjee .. Advocate

Mr. Santanu Maji .. Advocate

... .. for the petitioner

Mr. Sanjay Bardhan .. Advocate

Ms. Manisha Sharma .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in no way connected with the godown in question wherefrom recovery of narcotic substance was effected.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits a large volume of narcotic substance was recovered from the godown of the petitioner.

We have considered the materials including statements of witnesses. Local witnesses as well as mother of the petitioner disclose that he was in control and custody of the said godown. In view of the gravity of the offence and the materials on record, we are of the opinion custodial interrogation with regard to complicity of the petitioner is necessary and this is not a fit case to grant anticipatory bail to him.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

