

21.01.2020
RP/ct 1
sl no. 05

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.R. 154 of 2019

Md. Safiullah vs. State of West Bengal

Mr. Jaydeep Kanta Bhowmik
..... for applicant

Mr. Bhowmik, learned advocate appears on behalf of applicant in this criminal revision. He submits, his client is aggrieved by order no.33 dated 23rd April, 2019 passed by learned Judge of Special Court under NDPS Act, Jalpaiguri. He submits, his client is owner of the truck, which was being run by his nephew. Persons directly involved in carrying commercial quantity of contraband had taken the truck on hire from his nephew. He had no knowledge about the carriage of contraband and has no involvement in the offence as alleged. Impugned order records filing of charge sheet, cognizance taken and arrest warrant, inter alia, issued against his client. It appears from impugned order, other accused were denied bail citing section 37 in Narcotics Drug and Psychotropic Substance Act, 1985. This mechanical direction for issuing arrest warrant against his client, who has no involvement, requires for interference.

Applicant might surrender and apply for bail. Applicant's case being that he has no knowledge about the incident regarding carriage of contraband in his truck, he can urge

before the Court to pray for bail, as such being reasonable grounds for the Court to believe, he is not guilty of the offence alleged.

With above observation this criminal revision is disposed of.

(Arindam Sinha, J.)