

26.08.2021

Court No.28
Item No.279
(Allowed)

Akd
&
As

CRM 1959 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Special Case No. 26 of 2016 arising out of S.I.s S.L.No. 23/15-16 dated 14.01.2016 under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of : **Maya Ghosh.**

...Petitioner

Ms. Sujata Das.

...For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

...For the State.

Apprehending arrest in connection with Special Case No. 26 of 2016 arising out of S.I.s S.L.No. 23/15-16 under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner has filed the instant application for anticipatory bail.

It is submitted by the learned Advocate for the petitioner that that the petitioner has been implicated in the instant case on the allegation of plantation of poppy plant and admittedly the Dag Number of the said land stands in the name of the raiyat.

It is sought to be contended by the learned Advocate for the State that the erstwhile raiyat had transferred and conveyed the said property to the present petitioner and others.

We find that the said Dag Number consists of a large tract of land owned by several co-sharers. The poppy plants were seized and have already been destroyed. Moreover, charge sheet has also been submitted.

We do not find any justification in custodial interrogation of the petitioner.

The prayer for anticipatory bail is thus allowed.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the

satisfaction of the arresting officer of the concerned police station subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail, being CRM 1959 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)