

CRM 2861 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No.78 of 2015 dated 26-02-2015 under Section 18 of the Narcotic Drugs and Psychotropic Substances Act and Section 48 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Abdul Halim & Anr.

.... Petitioners.

Mr. Kalidas Saha

... For the Petitioners.

Mr. Binay Panda,
Ms. Puspita Saha,
Mr. Subham Bhakat

... For the State.

Learned advocate for the petitioners, on instructions, does not press this application for anticipatory bail on behalf of the petitioner no.2 since he has already been taken into custody. This application is dismissed insofar as the petitioner no.2 is concerned.

The allegation is of illegal cultivation of poppy. The petitioner no.1 says that he has no implication in the matter. He is made accused on the basis of the statements made by the co-accused persons.

We find from the Case Diary that one of the plots where poppy was found to be cultivated in contravention of the provisions of the NDPS Act was registered in the name of the petitioner no.1.

In view of the aforesaid *prima facie* implication of the petitioner no.1 in the alleged offence, although Charge Sheet

has been submitted, we are not inclined to entertain the prayer of the petitioner no.1 for anticipatory bail.

The application for anticipatory bail being CRM 2861 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**