

24.09.2021
Item no.38
Court No.32.
S.De
(Rejected)

(Via Video Conference)

CRM No. 2948 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 23.03.2021 in connection with Special Case No. 34 of 2016 dated 20.01.2016 arising out of S.I.s S.L. No.94/15-16 dated 19.01.2016 under Sections 18(B)/18(c) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Barun Mandal @ Karun Mandal &

Anr.

.....Petitioners.

Mr. Kausik Biswas, Advocate,

.....for the Petitioners.

Mr. Sanjoy Bardhan, Advocate,

Mr. Nirupam Dhali, Advocate,

Mr. Palash Majhi, Advocate,

.....for the State.

The allegation is that poppy cultivation was being carried on in the land belonging to the petitioners.

The petitioners say that they are living in the city permanently. They might have inherited the concerned land. However, they are completely unaware as to whether or not any poppy cultivation was being done on such land.

We have seen the material in the case diary. The prayer for anticipatory bail made by three accused persons was rejected

by this Court on November 8, 2017 in CRM 9550 of 2017, on October 21, 2020 in CRM 8497 of 2020 and on December 9, 2020 in CRM 8582 of 2020 .

From the material on record, it appears that the present petitioners stand on the same footing as those three accused persons.

Considering the prima facie complicity of the petitioners in the alleged offence, although charge-sheet may have been submitted, we are not inclined to entertain the petitioners' prayer for anticipatory bail.

Accordingly, CRM 2948 of 2021 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)