

23.12.21  
(S.R.)  
Sl.542  
Ct.32

CRM No.6744 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 **Banshihari** Police Station Case No.151 of 2020 dated 10/11/2020 under Sections 22/25/27A of the NDPS Act;

And

**In re: Jargis Alam @ Jarjia Alam**

**... petitioner.**

Mr. Kaushik Chaudhury

Ms. Bursa Khatun

... for the petitioner.

Mr. Binay Panda

Ms. Puspita Saha

...for the State.

Mr. Chaudhury, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No contraband substance above commercial quantity was recovered from his possession. Upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Panda, learned advocate appearing for the State submits that the petitioner is the owner of the vehicle and has a direct nexus with the alleged offence. Forty kilograms of ganja was recovered from the vehicle. In support of such contentions, he has drawn our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials on record, the nature of accusations and as the petitioner is the owner of the vehicle, his complicity in the alleged offence cannot be ruled out and the rigours of Section 37 of the NDPS Act are attracted. As such, the petitioner's prayer for anticipatory bail is refused.

The application for anticipatory bail being CRM No.6744 of 2021 is, accordingly, dismissed.

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

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**