

27.04.2021

CRM 11011 of 2020

Court No.02
Item No.152
(Rejected)

akd

In Re:- An application for bail under section 438 of the Code of Criminal Procedure filed on 18.12.2020 in connection with Kaliachak Police Station Case No. 647 of 2020 dated 27.08.2020 under Sections 21 (c) / 29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : **Mustakim Sk.**

...Petitioner.

Mr. Mrityunjoy Chatterjee.

...For the Petitioner.

**Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.**

...For the State.

Apprehending arrest in connection with Kaliachak Police Station Case No. 647 of 2020 under Sections 21 (c) / 29 of the Narcotic Drugs and Psychotropic Substances Act, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

Learned Advocate for the petitioner submits that the petitioner is no way connected with the alleged offence and apprehends arrest on the basis of the statement of the co-accused.

On the other hand, the learned Advocate for the State opposes the prayer for anticipatory bail and submits that subsequent to the filing of charge sheet it was unearthed during investigation that the vehicle, which was carrying the contraband, is owned by the petitioner. He says that supplementary charge sheet has also been filed before the Special Judge.

Upon considering the submissions so advanced and the fact that the supplementary charge sheet has already been filed and that prima facie ownership of the vehicle has been established, we do not think that it is a fit case of granting anticipatory bail to the petitioner.

Hence the application for anticipatory bail is rejected.

(Harish Tandon, J)

(Kausik Chanda, J.)

