

In The Circuit Bench At Jalpaiguri
CRM 845 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali Police Station** Case No. **36 of 2021** dated **25.01.2021** under Sections **20(b)(ii)(c)/25/29** of the NDPS Act.

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In the matter of : Sunil Roy @ Sunil Chandra Roy
.... Petitioner.

Mr. S. Sehanabis,

... For the Petitioner.

Mr. S. Ganguly,

... For the State.

The petitioner is the registered owner of the vehicle from which about 36.30 kgs of ganja was recovered. The contraband item was found inside the AC chamber of the car and inside the door panels.

The petitioner says that he has an all India permit for plying his vehicle commercially. He has no involvement in carriage of the contraband in the said vehicle. He has no knowledge as to what materials were being transported in the vehicle.

We have seen the seizure list. The petitioner may not have been present on the spot when the seizure took place. However, the manner in which the contraband item was concealed inside the door panels and the AC chamber, prompts us to *prima facie* think that the petitioner was involved in the alleged offence.

Charge sheet has not been submitted as yet. On an overall assessment of the facts and circumstances of the case, we are not inclined to allow the petitioner's prayer for anticipatory bail.

The prayer for anticipatory bail is rejected.

CRM No. 845 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)