

17.12.2021
SL No.08
Court No.1
AJ

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1032 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 Nagarkata Police Station Case No.91 of 2020 dated 13.09.2020 under Sections 20(ii)(c)/25/29 of the NDPS Act.

And

In the matter of : **Joy Prakash Pandey.**

....petitioner.

Mr. Samarajit Basu.

... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Aniruddha Biswas.

... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. He further submits that the vehicle seized by the police does not belong to him any more as he parked the vehicle by that time the vehicle was seized with contraband articles.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and produces before us the statement of one of the independent witnesses recorded under Section 161 of the Code of Criminal Procedure and also an order of NDPS Case No. 350 of 2020 to show that the petitioner has criminal antecedent.

Having considered the materials available on record and the nature of involvement of the petitioner in the commission of

alleged offence and also having regard to the fact the petitioner had criminal antecedent, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail, being CRM No.1032 of 2021 stands rejected.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)