

28.01.2022

Item no. 07
Court No.32
Avijit Mitra

C.R.M. 9013 of 2021 (Through Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal;

And

In Re : Jagadish Mandal

.... petitioner

Mr. Amitava Karmakar,
Mr. Arup Kumar Bhowmik

....for the petitioner

Mr. Sanjoy Bardhan,
Mr. Goutam Wilson

..... for the State

Apprehending arrest in connection with Kaliachak Police Station Case No.1085 of 2021 dated 06.10.2021 under Sections 21(b)/29 of the N.D.P.S. Act, the present application has been preferred.

Mr. Karmakar, learned advocate appearing for the petitioner submits that the petitioner has been roped in on the basis of mere suspicion. The contraband substance allegedly recovered is of intermediate quantity. The petitioner is ready and willing to extend all cooperation towards investigation. In view thereof, he may be granted anticipatory bail on any stringent condition.

Drawing our attention to the seizure list in the case diary Mr. Bardhan, learned advocate appearing for the State submits that over and above 165 gms. of brown sugar, a cash amount of Rs. 13,95,000/- was recovered from the house of the petitioner

and as such, the petitioner's direct involvement in the alleged offence cannot be ruled out.

Considering the fact that there had been recovery of contraband substance as well as huge amount of cash from the dwelling house of the petitioner and since investigation is still continuing, we are not inclined to exercise discretion in favour of the petitioner and as such, his prayer is refused.

Accordingly, the application for anticipatory bail being C.R.M. No.9013 of 2021 is 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.)