

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

05.05.2022
Court No.01
rpan/ 12

CRM (A) 227 of 2022

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

And

In Re: Sita Barman

- Petitioner

Mr. Hillol Saha Podder

...for the Petitioner

Mr. Sourav Ganguly

...for the State

Apprehending arrest in connection with Tufanganj Police Station Case no.184 of 2017 dated 28.04.2017 under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, the present application has been preferred.

Mr. Saha Podder, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. She had no involvement in the alleged offence. Upon completion of investigation charge-sheet has already been submitted and as such, custodial interrogation may not be necessary.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioner's prayer and submits that 347.8 Kgs. of *ganja* was recovered from two vehicles. The petitioner is the owner of one of the vehicles and has direct involvement in the alleged offence.

Heard the learned advocates and considered the materials in the case diary. *Prima facie*, there had been recovery of contraband

substance above commercial quantity from two cars and the petitioner is the owner of one of the said cars. In view thereof, the restrictions under Section 37 of the NDPS Act are clearly attracted and as such, the petitioner's prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail, being CRM (A) 227 of 2022 is dismissed.

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

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)