

03.07.2023
Item no.64
Court No.1.
AB
(Rejected)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) No. 452 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No.112 of 2023 Dated 28.2.2023 under Sections 20(b)(ii)(c) of the NDPS Act

And

**In the matter of : Aainula Miya @ Aainula Miya @ Aainul Mia
.....Petitioner.**

Mr. H. Saha Poddar,
Ms. Mousumi Dasfor the Petitioner.

Mr. A. S. Chakraborty, Id. APP,
Mr. Subhasis Misrafor the State.

260 kilograms of ganja was recovered from a secret cabin in a truck. The petitioner's driving licence was recovered from the truck.

The petitioner, however, says that he has no connection with the alleged incident. He was not driving the truck at the material point of time.

We have gone through the material in the case diary. There are statements of witnesses recorded under Section 164 Cr.P.C. which specifically implicate the petitioner.

Since commercial quantity of contraband item is involved, in view of the restriction in Section 37 of the Narcotic

Drugs & Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner's prayer for anticipatory bail.

The prayer for anticipatory bail stands rejected.

CRM (A) No.452 of 2023 is dismissed.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)