

28.10.2024
Sl. No.13
Sc/Naba
[Rejected]

C. R. M. (A) 3778 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.10.2024 in connection with Baishnabnagar Police Station Case No. 717 of 2020 dated 22.12.2020 under Section 20(a)(c) of the NDPS Act, 1985 corresponding to Special Case No. 104 of 2020.

And

In Re: ***Samayun Sk & Ors.***

... .. Petitioners

Mr. Shibaji Kumar Das (VC)

Mr. Ahsham Ahmed

... .. for the petitioners

Mr. Debasish Ray .. Id. P.P.,

Mr. Rudradipta Nandy,

Ms. Trisha Rakshit

... .. for the State

1. It is submitted on behalf of the petitioners that they have been falsely implicated into this case. The other accused person has been granted bail. They are standing on the same footing.
2. The petitioners are not the land owners where the alleged cannabis' cultivation was found.
3. Hence, their prayer for anticipatory bail may be allowed.
4. On the other hand, learned Advocate for the State has strongly opposed the prayer for anticipatory bail and submits that they are the actual owners of the land where the cannabis' cultivation was found. Therefore, the petitioners' prayer for anticipatory bail may be rejected.
5. We have considered the materials available in the case diary and found that the land belongs to the petitioners where the cannabis' cultivation was found.

6. In view of the above facts, we are not inclined to allow the petitioners' prayer for anticipatory bail.

7. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

(Ajay Kumar Gupta, J.)

(Biswajit Basu, J.)