

19.12.2024

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Rejected

C.R.M. (A) No. 4429 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Baishnabnagar Police Station Case No. 717 of 2020 dated 22.12.2020 under Sections 20(a)(c) of the NDPS Act.

And

In Re : Matiur @ Motibur Rahaman petitioner

Mr. Shibaji Kumar Das

Mr. Dipendu Sarkar

Ms. Deblina Ded

.....for the petitioner

Mr. Saryati Dutta

Ms. Dona Sanyal

..... for the State

1. Learned Counsel for the petitioner submits he is not the owner of the plot where cannabis cultivation was undertaken. He refers to page no. 4 of the petition and prays for anticipatory bail.

2. Learned Counsel for the State produces the case diary including record of rights pertaining to the relevant dag i.e. Dag No. 4155/5114.

3. We have considered the materials on record. Petitioner is a co-owner of the plot. There are materials to show illicit cultivation was undertaken. Under such circumstances we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.

4. Accordingly, prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

