

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

**08.03.2024**

Court No.1  
Item.111  
(Srimanta)

**CRM(A) 148 OF 2024**

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with New Jalpaiguri Police Station Case No. 942/2023 dated 01.10.2023 under Sections 20(b)(ii)(C)/25/28/29 of the NDPS Act,1985 corresponding to NDPS Case No. 88/2023.

And

In the matter of: **Juyel Hossain.**

. . .Petitioner.

Mr. Kalipada Das

... For the petitioner.

Mr. Kallol Acharjee,  
Mr. Biswarup Roy

...For the State.

1. There is a cloud over the fact of ownership of the vehicle.  
While the petitioner says that the petitioner executed documents for transfer of the vehicle in favour of one Hasan Ali in August, 2023, it also appears that the vehicle was hypothecated to the petitioner by a financier.
2. In any event, investigation is still going on and the prosecution seeks to file a charge-sheet in the near future.

3. While we are not inclined to allow the prayer for anticipatory bail, we also deem it fit to give liberty to the petitioner to approach the Court for appropriate orders if the prosecution fails to complete the investigation and file a charge-sheet within the statutory time period.
4. The application for anticipatory bail being CRM (A) 148 OF 2024 is accordingly rejected in terms of the above.

**(PRASENJIT BISWAS,J.)**

**(MOUSHUMI BHATTACHARYA,J.)**