

16/04/2025

D/L 43
Ct. No.28
(Rejected)
(S.Kundu)

C.R.M.(A) 1214 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure in connection with Hasnabad Police Station being No. 57 of 2024 dated 4.2.2024 under Section 20(b)(ii)(c) of the NDPS Act, pending before the learned Additional District and Sessions Judges, 6th Court, Barasat, North 24 Parganas.

In the matter of: Safikul Par @ Safikul Pada

... Petitioner

Mr. Kallol Kumar Basu,
Md. Jannatul Fidous

... for the petitioner

Mr. Joydeep Roy,
Mr. Dattatreya Dutta

... for the State

1. Learned counsel appearing on behalf of the petitioner submits as follows. There is no proof that the place from where the contraband was seized belongs to the petitioner. It is also not clarified in the FIR about the exact place from where the seizure was made.
2. Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for bail. He submits that it has been categorically mentioned from where the contraband was seized. The wife of the petitioner was present at the house and she signed the seizure list. The entire procedure was videographed. The statements clearly show that the petitioner was the owner and occupier of the premises in question. Charge-sheet has been submitted.

3. In view of the incriminating materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is dismissed.

(Jay Sengupta, J.)