

11.08.2025
Court No.28
Item No.27
tbsr
Reject

CRM (A) 2436 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bhadreswar** P.S. Case No.**426 of 2024** dated **23.10.2024** under Sections **21(c)/25/28 and 29** of the NDPS Act.

And

In the matter of: **Rajkumar Mishra**

....Petitioner.

Mr. Vivek Kumar Tripathi
....for the petitioner

Mr. Subhrasree Patel
Ms. Jonaki Saha
.....for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that there are serious anomalies in the manner in which the case was initiated and the petitioner implicated in this case merely because he is the owner of the truck in question. In fact, the truck was supposed to supply some wheat to another person.

Learned counsel appearing on behalf of the State relies on the report and the case diary and submits as follows. Not only was the contrabands seized from the truck belonging to the petitioner, the petitioner's son was also arrested from inside the truck along with the driver. The driver went absconding.

At this stage, learned counsel appearing on behalf of the petitioner submits that the petitioner's son had actually come to Kolkata on the occasion of Dewali.

Considering the incriminating materials available in the case diary including the fact that the petitioner is the owner of the truck in question and his son was apprehended from inside the truck along with the contraband and considering the statutory restriction contained in Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)