

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

07.07.2026
Item No. 19
Ct. No. 5
AN

C.R.M.(A) 423 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In the matter of : **Manoj Raha**

... Petitioner.

Mr. Shubham Ghosh
Mr. Mayank Roy
Mr. Hasanur Rahaman

...for the petitioner

Mr. Avrojoyoti Das, ld. APP
Mr. Raj Kumar Mitra
Mr. Debabrata Rai

...for the State.

1. The petitioner is apprehending arrest in connection with Bhaktinagar Police Station Case No. 854 of 2025 dated 26.08.2025 under Sections 21(c)/22(c)/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Mr. Subham Ghosh, learned advocate for the petitioner has submitted that the petitioner purchased a second hand vehicle which is alleged to have been involved in the offence, from the earlier owner and the transfer took effect from 10th September, 2025. Therefore, he submits that on the date of occurrence of the alleged offence, the petitioner was not in possession of the vehicle, though, he initiated the transaction for purchase of the said old vehicle on 24th August, 2025.

3. Therefore, according to the petitioner, on the date of alleged occurrence on 26th August, 2025, though he initiated the process for purchase of the old vehicle from the erstwhile owner by paying advance money to the erstwhile owner, he was not in possession of the vehicle and the same was in possession of the erstwhile owner only and at his disposal.
4. The State has relied upon a document in case diary which is, however, an incomplete document, not comprehensible. On the basis of the same, it is submitted that the petitioner has become the owner of the vehicle with effect from 24th August, 2025.
5. Therefore, it is found necessary for proper adjudication of the case to direct the I.O. to submit a report regarding actual physical possession of the said vehicle as on the date of alleged occurrence of the offence, that is, on 26th August, 2025.
6. Let the Investigation Officer immediately submit a report as above before the Court on the next date of hearing.
7. List the matter on **9th July, 2026** under the same heading for further consideration.

(Rai Chattopadhyay, J.)

