

HIGH COURT OF TRIPURA
AGARTALA
AB 47 OF 2024

Pallab Das, S/o Sri Nibaran Das, R/o Chandinamura (Mathbari),
West Bhubanban, Barjala, West Tripura, Agartala, P.O. Ramnagar,
P.S. West Agartala, Dist. West Tripura, Pin-799002.

... Applicant.

Vs.

The State of Tripura.

... Respondent.

For the applicant (s) : Mr. S. Kar Bhowmik, Sr. Advocate
Mr. E.L. Darlong, Advocate.

For the respondent (s) : Mr. Samrat Ghosh, Addl. P.P.

HON'BLE MR. JUSTICE ARINDAM LODH

04.10.2024

Order

Heard Mr. S. Kar Bhowmik, learned senior counsel assisted by
Mr. E. L. Darlong, learned counsel appearing for the accused-applicant and
Mr. Samrat Ghosh, learned Addl. P.P. appearing for the State-respondent.

This is an application for granting anticipatory bail to the
accused-applicant Sri Pallab Das who is apprehending arrest in connection
with Dharmanagar GRP 001/2024, for committing offence under Sections
20(b)(ii)C/29 of NDPS Act, 1985.

The complaint lodged by Inspector, Uttam Kumar Koloi, may be
reproduced here-under:

*"To
The Officer In-Charge,
Dharmanagar GRPS,*

Subject: Suo-Moto Complain.

Sir,

With due respect and humble submission, I have the honour to state that, on 22/01/2024 at 1910 hrs received information from SDPO Dharmanagar that some suspected big electric control box lying at parcel office, Dharmanagar Railway station. On this Information self along with GRPS staff, RPF staff including one women constable accompanied with SDPO DMN left PS for DMN parcel office to verify the information. On arrival at DMN parcel office self contact with Sri Kumar Sakachep Tripura, Commercial Supervisor, I/C of DMN Parcel office and asked him regarding electric control box and he stated that one PriyatoshDebnath S/O NupanDebnath of Chandinamura, West BhubanbanAgartala, West Tripura booked for parcel of said electric control box to Aditya Kumar Jha C/O DilipJha of South Bazar Andal, Bardhaman, West Bengal. Accordingly called to PriyatoshDebnath over telephone regarding parcel electric control box and he stated that the actual owner of the said electric control box is Pallab Das S/O Nibaran Das of Chandinamura, (Mathbari) near love star Club, West Bhubanban, Barjala, West Tripura. During search/checked arranged to open the said electric control box by cutter instrument and recovered total 06 packet wrapped with brown colour cello tape suspected to dry Ganja from 03 nos electric control box(02 packets each box). On measuring found total 61.580 kg suspected dry ganja which are marked as Exb-"A"- 10.240 KG and Exb-"B"-10.270 Kg from box No. 01, Exb-"C"-10.230 KG and Exb-"D"-10.310 Kg from box No. 02 and Exb-"E"-10.290 KG and Exb-"F"-

10.220 Kg from box No. 03. According seized the same including one original Tax Invoice and one copy of Driving license of PriyatoshDebnath in presence of executive Magistrate, DCM Dharmanagar North Tripura and other witnesses and the said seized articles brought at DMN GRPS and kept in PS custody.

Under the above fact and circumstance I do here by submitting Suo-Moto Complain against the below noted accused persons for taking necessary Lawful action under the purview of law.

Name and particulars of Accused persons:-

1. PallabDas(39) S/O Nibaran Das of Chandinamura, (Mathbari) near love star Club, West Bhubanban, Barjala, West Tripura.
2. PriyatoshDebnath (22) 5/0 NupanDebnathof Chandinamura, West BhubanbanAgartala, West Tripura
3. Aditya Kumar Jha (36) C/O DilipJha of South Bazar Andal, Bardhaman, West Bengal.

Yours faithfully
-Sd
(Inspr.Uttam Kr.
Kalai)
Officer In-Charge
Dharmanagar GRPS

Receives on 22-01-2024 at 23.41 hrs. and registered
Dharmanagar GRPS Case no. 2024/DGR/001 dated 22-01-2024
U/S 20(b)(ii) C/29 of NDPS Act 1985 and endorsed to S.I.
Champamani Tripura for its complete investigation."

Mr. Ghosh, learned Addl. P.P. has produced the case diary.

On perusal of the case diary as well as the complaint, I find sufficient incriminating materials which require investigation. Particularly, in NDPS Case, the Court should always be cautious to proceed for granting anticipatory bail or even granting of regular bail in view of Section 37 of the NDPS Act.

Considering the entirety of the circumstances and keeping in mind the submissions of learned counsel appearing for the parties, I am not inclined to grant anticipatory bail to the accused-applicant, namely, Sri Pallab Das in connection with Dharmanagar GRP 001/2024.

Accordingly, the instant anticipatory bail application stands dismissed.

Return the case diary.

JUDGE

SANJAY GHOSH Digitally signed by SANJAY GHOSH
Date: 2024.10.04 16:05:01 +05'30'

sanjay