

28. 28.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 4894 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **22/07/2021** arising out of **Mothabari Police Station Case No. 157/2020** dated **16/04/2020** under Sections **21(c)/29** of the N.D.P.S. Act read with Section **27A** of the Drugs and Cosmetics Act. (Special Case No. 21/2020).

And

In the matter of: - **Imran Ali @ Babu**

...petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

The petitioner says that there was no recovery from him. He has been implicated on the basis of statements made by co-accused persons.

We have seen the material in the Case Diary. It *prima facie* appears that the contraband items of commercial quantity were meant to be delivered to the petitioner. However, when such items were seized by the Police from the co-accused persons, the petitioner fled. He was absconding. He was apprehended only after charge-sheet was submitted. In other words, he did not co-operate with the investigation.

In view of the *prima facie* involvement of the petitioner in the alleged offence and in view of his conduct, although he has been in custody for about 190 days and charge-sheet has been submitted, we are not inclined to entertain his prayer for bail, at this stage.

Accordingly, the application for bail being C.R.M. 4894 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)