

14.12.2021
Sl. No.346
akd
[Rejected]

C. R. M. 5372 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.08.2021 in connection with Raghunathganj Police Station Case No.24 of 2021 dated 14.01.2021 under Sections 21(c)/25/28/29 of the NDPS Act. (NDPS Case No.16 of 2021)

And

In Re: **Mantu Sk.**

... .. Petitioner

Mr. Milon Mukherjee .. Sr. Advocate
Mr. Sandipan Ganguli .. Sr. Advocate
Mr. Jisan Iqbal Hossain

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Ld. Public Prosecutor
Mr. Ranadeb Sengupta

... .. for the State

Pursuant to our earlier direction, Investigating Officer is personally present before this court. His presence is noted and dispensed with.

Mr. Milon Mukherjee, learned senior counsel appearing for the petitioner submits that his client is in custody since 2017. Recovery of narcotic substance in the year 2021 was not from the possession of the petitioner. Petitioner is in no way connected with dealing in narcotic substance which is the subject matter of the present case.

Learned Public Prosecutor opposes the prayer for bail and submits that the petitioner was arrested in 2017 with regard to a narcotic case. While in custody he conspired with other co-accused persons and was dealing in narcotics. Large volume of narcotic substance was recovered from the house which was purchased in the name of one Sakina Khatun, wife of the petitioner who is presently absconding.

We have considered the materials on record. Petitioner has criminal antecedents. Alleged recovery of narcotic substance is from a house purchased by one Sakina Khatun, wife of the petitioner. There is nothing to show that the relationship between the petitioner and Sakina is strained or she is living separately. In view of the aforesaid materials on record, we are of the opinion that this is not a fit case to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)