

15.09.2021
Item no.8
Aloke
Ct. No.29

Through Video Conference

C.R.M. 5909 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.09.2021 in connection with Hili P.S. Case No. 14 of 2021 dated 28.01.2021 under Sections 411/414/186/188/353/34 of the Indian Penal Code read with Sections 21(C)/22 (C)/23(C)/27A/20(b)(ii)(c) of the NDPS Act.

And

**In the matter of : Kuddus Mondal @ Kudduchh Mondal
... Petitioner**

Mr. Kaushik Choudhury, Advocate

Ms. Busra Khatun, Advocate

... for the Petitioner

Mr. Sanjay Bardhan, Advocate

... for the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated in the present case. No contraband substance was recovered from the possession of the petitioner. The petitioner was named by one of the co-accused.

Learned Advocate appearing for the State submits that the BSF personnel intercepted the petitioner and the co-accused. In the melee three BSF were injured. BSF personnel apprehended one co-accused who named the petitioner amongst others. The investigation is in progress. He submits that the petitioner is in custody for 39 days.

Considering the facts and circumstances of the present case and the fact that the investigation is in progress we are unable to grant bail to the petitioner at this stage.

C.R.M. 5909 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)