

CRM 6245 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **English Bazar Police Station** Case No. **765 of 2021** dated **06.07.2021** under Sections **21(b)(ii)(C)/29** of the NDPS Act.

- A n d -

In the matter of : Gopinath Majumdar

.... Petitioner.

Mr. S. Kr. Basu, Sr. Adv.
Mr. R. Mazumdar,
Mr. S. Saha,
Mr. P. Roy,
Mr. A. Rathore,

... For the Petitioner.

Mr. S. Bardhan,
Mr. P. C. Majhi,

... For the State.

The petitioner seeks bail in connection with offence under Sections 20(b)(ii)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Learned Senior Advocate for the petitioner submits that nothing has been recovered from the exclusive possession of the petitioner. Excepting certain call details there are no incriminating substances to implicate the petitioner in the alleged offence, who is languishing for last 86 days. He has been implicated on the basis of co-accused statement.

Learned Advocate for the State opposes the prayer for bail and submits that there has been recovery of huge quantity of ganja which has been consigned from another State to the State of West Bengal and at least two of the independent witnesses have stated about the involvement of the petitioner in such business of contraband and further investigation is in progress.

We have heard learned Advocates of both the sides and perused the material in the case diary. It is found from the statements of witnesses that there is material to the effect that this petitioner has been involved in such dealing of contraband substance. Further, there has been seizure of huge quantity of contraband. Investigation is in progress. Considering the material as indicated above and keeping in mind the nature and gravity of the offence, we are not inclined to allow the petitioner's prayer for bail at this stage.

Accordingly, the application for bail being CRM 6245 of 2021 is dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)