

**15.11.2021**  
**Serial no. 405**  
Dd

**(Through Video Conference)**

**CRM 6776 of 2021**

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **NDPS Case No. 57 of 2020** arising out of **Cossipore** Police Station Case No. **172** of **2020** dated **01.10.2020** under **Sections 21C/29/27A** of the Narcotic Drugs and Psychotropic Substances Act.

**-And-**

**In the matter of : Rabiul Mondal @ Kana Babi**

**... ..Petitioner**

Mr. Sandipan Ganguly, Id. Sr. Adv.  
Mr. Sujan Chatterjee,  
Mr. Anirban Guha Thakurta,  
Mr. Arkadeb Bhattacharya, Advocates  
... .. For the Petitioner

Mr. Sanjoy Bardhan,  
Mr. Palash Ch. Majhi, Advocates  
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that considering 240 days of detention of the petitioner and considering the fact that the petitioner was arrested on the basis of statements of the co-accused and only intermediate quantity of contraband was seized from the possession of the petitioner, the Court should grant bail.

Learned advocate appearing for the State draws the attention of the Court to the Bank statements, which according to him establishes that petitioner was the financier and was part of the drug racket. He draws the attention of the Court to the statements recorded under Section 164 of

the Criminal Procedure Code also. He submits that the police concluded investigation and filed charge sheet.

Considering the materials in the case diary and considering the fact that there was money transactions between the petitioner and the principal accused, we are of the view that the petitioner is unable to overcome the restriction under Section 37 of the NDPS Act. Consequently, we are not inclined to grant bail to the petitioner.

Prayer for bail is **rejected**.

CRM 6776 of 2021 is **dismissed**.

**(Debangsu Basak, J.)**

**(Ananda Kumar Mukherjee, J.)**