

16.11.2021
Serial no.644

Aloke
Ct. No. 29

(Through Video Conference)

CRM 7247 of 2021

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 08.10.2021 in connection with Durgapur Police Station Case No. 386 of 2018 dated 13.08.2018 under Section 21(C)/29 of the NDPS Act and Section 25(1B)(a)/35 of the Arms Act.

-And-

In the matter of : **Dipak Singh**

... ..Petitioner

Mr. Ayan Basu, Advocate
Mr. Sk. Salim, Advocate
Mr. Sumit Routh, Advocate

... .. For the Petitioner

Mr. Sanjay Bardhan, Advocate
Mr. Ranadeb Sengupta, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that no contraband was seized from the possession of the petitioner. The petitioner is sought to be implicated on the basis of the statement of the co-accused. The petitioner is in detention in excess of three years. The police submitted charge-sheet and, therefore, continued detention of the petitioner is not required.

Learned Advocate appearing for the State submits that the petitioner is the mastermind of the drug racket. He draws the attention of the Court to the statements recorded under Section 161 of the Code of Criminal Procedure which names the petitioner. He submits that the police came across the call record details wherefrom it transpires that the petitioner was in contact with the co-accused. He submits that there are nine several criminal antecedents so far as the petitioner is concerned.

Considering the materials in the case diary and considering the fact that narcotics of commercial quantity was recovered from the possession of the co-accused, and considering the complicity of the petitioner in the offence we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985, consequently, the prayer for bail is rejected.

CRM 7247 of 2021 is, accordingly, dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)