

20.12.2021
Sl. No.128
akd
[Rejected]

C. R. M. 8274 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.12.2021 in connection with Nakashipara Police Station Case No. 235 of 2021 dated 23.05.2021 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Spl. Case No.50 of 2021)

And

In Re: ***Samir Das @ Buro***

... .. Petitioner

Mr. Souvik Mitter
Mr. Angshuman Chakraborty
Mr. S. S. Saha

... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor
Mr. Arani Bhattacharyya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 211 days. It is further submitted that no narcotic substance was recovered from the possession of the petitioner.

Learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner was in a scorpio vehicle which had accompanied the truck transporting narcotic substance above commercial quantity.

We have considered the materials on record. Statements of witnesses as well as contemporaneous materials show that the truck containing narcotic substance above commercial quantity and the scorpio vehicle were involved in transportation of narcotic substance above commercial quantity. Petitioner was arrested from the spot while he was found conversing with the driver of the truck carrying narcotic substance. In view of the aforesaid materials on record and bearing in mind the gravity of the offence, 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.)