

06.01.2022
tkm/ct 29
sl no. 54

C.R.M. (NDPS) 4 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 20/NCB/KOL/2020 dated 24.9.2020 under section 8 read with sections 20(b)(ii)(c) of the NDPS Act
And

In Re : Bipul Chaki petitioner

Mr. P K Das
..... for the petitioner

Mr. Y J Dastoor, Id ASG
Mr. P Edulji
Mr. Amajit De
..... for the NCB

Petitioner is in custody for one and a half year. It is submitted on behalf of the petitioner that he is the father of the principal accused. He has been falsely implicated in the instant case. No narcotic substance has been recovered from the exclusive possession of the petitioner.

Learned Additional Solicitor General opposes the prayer for bail and submits that a large volume of money and 40 kgs. of Ganja was recovered from the residence of the petitioner. On the showing of the petitioner further recoveries were made from a vehicle and a neighboring house.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of 40 kgs of Ganja from the residence of the petitioner. That apart, from his leading statement further recoveries were effected. In view of the aforesaid materials on record implicating the petitioner in the alleged crime and in view of the statutory restrictions under Section

37 of the NDPS Act in the alleged crime, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)