

15.06.2022
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rejected

C.R.M. (NDPS) 614 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 474 of 2021 dated 28.06.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Bapan Ghosh @ Bapon Ghosh petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

Mr. Tapodip Gupta

... for the petitioner

Mr. Sudip Ghosh

Mr. A. K. Datta

Mr. B. Banerjee

... for the State

Petitioner is in custody for 317 days.

It is submitted by the learned Counsel appearing for the petitioner that he has been falsely implicated in the instant case as recovery was effected from a place which was accessible to all.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered materials on record. Recovery was effected in the presence of an independent witness on the leading statement of the petitioner.

In view of the aforesaid materials on record, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)