

CRM 6356 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 20/NCB/KOL/2021 under Sections 8(c) read with Section 20b(ii) c/& 29 of the NDPS Act.

-And-

In the matter of : Kalu Charan Pradhan

...Petitioner

Mr. Ranabir Ray Chawdhury, Advocate

Mr. Dev Kumar Sharma, Advocate

... ... For the Petitioner

Mr. Y.J. Dastoor, Id. ASG

Ms. Mary Dutta, Advocates

... ...For the NCB

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that no narcotic was recovered from the possession of the petitioner. The petitioner is sought to be proceeded against on the basis of the statement of the co-accused made while in custody. The house of the petitioner was raided and no narcotic was recovered then also. The mobile phone of the petitioner was not seized.

Learned Additional Solicitor General appearing for the NCB submits that there are call details recording between the petitioner and the person arrested with the commercial quantity of narcotic.

Considering the fact that there are call details recording of the mobile phone belonging to the petitioner with that of the mobile phone of the accused arrested with the commercial quantity of the narcotic, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985. Consequently, we are unable to grant bail to the petitioner.

CRM 6356 of 2021 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)