

27.07.2022

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rejected

C.R.M.(NDPS) No. 844 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dankuni Police Station Case No. 263 of 2019 dated 18.10.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Biplab Sarkar petitioner

Mr. Robiul Islam

Mrs. Pramita Banerjee

Mr. S. A. Munshi

Mrs. Firoja Khatun

....for the petitioner

Mr. Antarikhya Basu

..... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits he is in custody for three years. It is also submitted no narcotic substance was recovered from his possession. He has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Narcotic substance above commercial quantity was recovered from an abandoned vehicle. It is alleged that the petitioner was the driver of the vehicle and tax invoice of the vehicle was recovered from his possession.

In view of the aforesaid incriminating materials and nature of offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Though petitioner is in detention for a protracted period of time, we note abscondence of the co-accused has contributed delay.

Trial court is directed to take necessary steps and proceed with the trial against the petitioner at the earliest.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)