

01.08.2022
cm/ct 28

C.R.M. (NDPS) No. 865 of 2022

sl. no. 8

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **NDPS Case No. 34 of 2022** arising out of **Jalangi P.S. case No. 30 of 2022 dated 24.01.2022** under Sections **21 (c)/29** of the N.D.P.S. Act **and Section 25(i)(a)** of the Arms Act.

Rejected

And

In Re : Saharul Molla @ Saharul Mondal

..... petitioner

Mr. Jisan Iqbal Hossain
Ms. Sweta Bhatta

..... for the petitioner

Mr. Ranadeb Sengupta

..... for the State

Petitioner is in custody for over five months. It is submitted no narcotic substance was recovered from him.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner has criminal antecedents. Petitioner and Tajibul Sk. were in custody and petitioner had used Tajibul's mobile phone to communicate with co-accused who were apprehended with narcotic substance and fire arms.

We have considered the materials on record. Statements of witnesses and attending circumstances show petitioner and co-accused Tajibul Sk. while in custody had conspired with others to traffic narcotics. He had used the mobile phone of Tajibul to communicate with co-accused who was transporting narcotics. CDRs collected during investigation corroborates such accusation. Narcotic substance above commercial quantity and fire arms were recovered from co-accused with whom petitioner had telephonic conversations from custody. Hence, there are ample materials to

show petitioner was a part of the conspiracy to deal in narcotic substances.

Under such circumstances and in view of the criminal antecedents of the petitioner, we are not inclined to grant bail to him.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)