

05.09.2022
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 983 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.08.2022 in connection with Balagarh Police Station Case No. 115 dated 23.08.2020 under Sections 29/20(b)(ii)(c) of the NDPS Act. (NDPS Case No.45 of 2022)

And

In Re: **Saifuddin Sk.**

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sreemoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years. It is further submitted no recovery was made pursuant to his disclosure statement. Co-accused has been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner was in custody in connection with another case. During custody he and co-accused made disclosure statements. Pursuant to such disclosure statements, narcotic substance above commercial quantity i.e. 30 kgs. of *Ganja* was recovered from the house of the co-accused.

We have considered the materials on record. Petitioner and co-accused were in custody in other cases. During custody they made disclosure statements resulting in recovery of narcotic substance above commercial quantity from the house of the co-accused. Complicity of the petitioner transpires from the aforesaid materials on record. Co-

accused has been enlarged on statutory bail and not on merits. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)