

31.08.2022
tkm/ct 28
sl no. 6

C.R.M. (NDPS) 987 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak PS case no. 56/2022 dated 14.1.2022 under sections 21(c)/27A/29 of the NDPS Act, 25(1a)/27/35 of the Arms Act and 326/307/120B of the IPC added section 302 IPC

And

In Re : Md. Asmaul Sk.

..... petitioner

Mr. S S Roy

Mr. Amarendra Chakraborty

Mr. Tonmoy Chatterjee

Mr. S Mandal

..... for the petitioner

Mr. S Bardhan

Mr. Suman De

..... for the State

Petitioner is in custody for 229 days. It is submitted co-accuseds have been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner is the principal accused. Narcotic was recovered from his possession. He had fired at the informant who succumbed to his injuries.

We have considered the materials on record. Narcotic substance above commercial quantity i.e. 400 gms. of brown sugar was recovered from the petitioner. No narcotic was recovered from the possession of co-accuseds who have been released on bail. Petitioner also fired at the informant. As a result, he died. In view of the incriminating materials and grave nature of allegations, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)