

27.09.2022.
10.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1094 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Golabari P.S. Case No.6 of 2022 dated 06.01.2022 under Sections 27(A)/28/29/30 of the N. D. P. S. Act.

In the matter of : Rahul Mondal & Anr.

... Petitioners.

Mr. Sekhar Kumar Basu, ld. Sr. Adv.,
Mr. Amanul Islam,
Ms. Sabera Khatun.

...for the Petitioners.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioners are in custody for about eight months. They have been falsely implicated in the crime.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. One Irshad Khan and others were travelling in a vehicle which was apprehended on suspicion they were trafficking narcotic substance. On the disclosure statement of Irshad Khan, 13 kgs. of heroin was recovered from the residence of the petitioner no.2. Petitioner no.1 was present at the spot. Telephonic conversations between petitioner no.1 and other co-accuseds have also been collected during investigation.

In view of the aforesaid incriminating materials on record prima facie disclosing involvement of the petitioners in the

trafficking of narcotic substance above commercial quantity and in the light of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)