

10.11.2022
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 1153 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2022 in connection with Bongaon Police Station Case No.296 of 2022 dated 23.03.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: ***Sanjoy Mistri***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 215 days. It is further submitted petitioner has been falsely implicated in the instant case. It is also submitted he is not the owner of the vehicle which was used to transport narcotic substance.

In view of the aforesaid submission, report with regard to involvement of the petitioner was called for.

Report is placed on record. From the report it appears the vehicle in question was sold by one Imam Dafadar to the petitioner for valuable consideration. Part of the sale consideration was paid through electronic means and the remainder in cash. Sale agreement was also seized in the course of investigation.

In view of the aforesaid incriminating materials on record prima facie showing petitioner had purchased the vehicle and had control and dominion over the same at the time of commission of the offence, we are of the opinion this is not a fit case to grant bail to the petitioner.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

