

08.12.2022
sdas/tkm/ct 28
sl no.5

C.R.M. (NDPS) 1447 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 369 of 2022 dated 15.5.2022 under Sections 21(c)/ 22(c)/ 23(c)/25/27A/28/29/30 of the NDPS Act

And

In Re : Safikul Sk @ Rabiul @ Abiul petitioner

Mr. Saibal Mondal
Mr. S Dutta

..... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

..... for the State

Petitioner submits no narcotics was recovered from his possession.

Learned lawyer for the State opposes the prayer for bail and submits petitioner is involved in conspiracy of trafficking narcotic substance. A number of telephonic calls were made by the petitioner to the co-accuseds one of whom was apprehended with narcotic substance. Money trail showing payments made by the petitioner in connection with transaction in narcotics has also been identified.

In response, learned lawyer for the petitioner submits money was not transferred from his account.

We have considered the materials on record. CDRs show regular telephonic conversations between the petitioner and co-accuseds, one of whom was apprehended with narcotic substance above commercial quantity. In addition, money trail with regard to transactions in narcotic substance has been traced to the petitioner. Payments were made from the account of one Aziz who

stated that transaction was undertaken at the instruction of the petitioner.

In view of the aforesaid incriminating materials and statutory restrictions under section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)