

05.07.2023

76
sdas
rejected

C.R.M. (NDPS) No. 1214 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hili Police Station Case No. 31 of 2023 dated 06.02.2023 under Sections 186/188/353/379/411/307 of the Indian Penal Code and Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In Re : Bapi Sarkar @ Bappi Sarkar petitioner

Mr. Kaushik Choudhury

... for the petitioner

Mr. Sanjoy Bardhan

Ms. Trina Mitra

... for the State

Learned Counsel for the petitioner submits he is in custody for 94 days. It is also submitted that no narcotics was recovered from his possession. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits investigation is in progress.

We have considered the materials on record. A number of miscreants were transporting narcotics. BSF personnel intervened. They attacked the BSF personnel and ran away. It is contended that petitioner is one of them. Investigation is still in progress. 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.)

