

08.08.2023.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1369 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.14 of 2022 arising out of S.T.F. P.S. Case No.08 of 2022 dated 13.03.2022 under Sections 21(c)/27A/29 of the NDPS Act and charge sheet submitted under Sections 21(c)/22(c)/27A/29 of the NDPS Act.

In the matter of : Sudip Karmakar.

... Petitioner.

Mr. Dipankar Mandal,
Mr. Abdul Aziz Mondal.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is the driver of the vehicle which was used for transporting narcotics. He did not have requisite knowledge with regard to the narcotics being carried in his vehicle. He is in custody over 500 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits trial is in progress.

We have considered the materials on record. Petitioner and co-accused were transporting narcotics in a vehicle. Police personnel apprehended the vehicle. Petitioner is the driver and was acquainted with other co-accused who were carrying narcotics. Statutory presumption with regard to the requisite knowledge in transporting narcotics is against the petitioner.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

Trial court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)