

24.11.2023

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sdas
rejected

C.R.M.(NDPS) No. 1604 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 80 of 2023 dated 17.02.2023 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Amitava Biswas @ Rajesh petitioner

Mr. Navanil De

Mr. Sumanta Das

....for the petitioner

Mr. Sanjoy Bardhan

Ms. Debjani Dasgupta

..... for the State

1. Report submitted in Court is placed on record.

2. Report shows vehicle used to transport narcotics had been sold to the petitioner prior to the occurrence. Sale consideration was prayed to the erstwhile owner i.e. Khabaji Mondal in cash and through finance company. In view of the aforesaid fact we are of the opinion petitioner was in possession and control over the vehicle at the time when the incident occurred. He had knowledge with regard to transportation of narcotics. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act we are not inclined to grant bail to the petitioner.

3. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)