

18.12.2023

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rejected

C.R.M.(NDPS) No. 1928 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 1333 of 2022 dated 25.08.2022 under Sections 21(c) /29 of the NDPS Act and Section 14(A) of the Foreigners Act.

And

In Re : Md. Eyakub Ali Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
....for the petitioner

Mr. Soumik Ganguli
..... for the State

1. Learned Counsel for the petitioner submits he has been falsely implicated in the case. No videography was made with regard to the recovery of narcotics. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner along with a Bangladeshi national was illegally transporting narcotics across international border.

3. We have considered the materials on record. Statements of witnesses and contemporaneous documents show involvement of the petitioner along with a Bangladeshi national in illegally trafficking narcotics across international border. In view of nature of crime and materials on record and statutory

restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)