

19.12.2023.

Item No. 51

ap
(Rejected)

C.R.M. (NDPS) 1996 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.12.2023 in connection with Cossipore Police Station Case No. 100 of 2023 dated 10.06.2023 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Chayan Mitra.

...Petitioner

Mr. Angshuman Chakraborty,
Mr. S.S. Saha.

...For the petitioner

Mr. Soumik Ganguli.

....For the State

1. The petitioner is in custody for 97 days. He contends that no narcotic was recovered from his possession. He has been falsely implicated in this case.

2. Learned Advocate for the State opposes the prayer for bail. He submits that the petitioner had arranged the vehicle which was used to transport narcotics. Bank records show transfer of money to his account in connection with the aforesaid transaction.

3. We have considered the materials on record. Petitioner is involved in the business of arranging vehicles. He had entered into a conspiracy with co-accused and provided the vehicle which was used to transport Narcotics. CDRs collected during investigation shows telephonic calls between the petitioner and co-accused, who were transporting Narcotics. Bank records also evidence transfer of funds in connection with the said transaction.

4. In view of the aforesaid incriminating materials and statutory restrictions imposed under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to grant bail to the petitioner.

5. The application for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)