

09.01.2024
Sl. No.18
akd
[Rejected]

C. R. M. (NDPS) 29 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.01.2024 in connection with Kaliachak Police Station Case No.714 of 2022 dated 04.07.2022 under Sections 21(c)/27A/29 of the NDPS Act. (NDPS Case No.93 of 2022)

And

In Re: **Mabudh Sk.**

... .. Petitioner

Mr. Sandipan Ganguly .. Sr. Advocate

Mr. Mazhar Hossain Chowdhury

... .. for the petitioner

Mr. Joydeep Biswas

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 328 days. It is further submitted petitioner is an agent of co-accused viz. Md. Nurul Islam @ Rizwan who is a labour contractor. In connection with such business, he had made payments to said Md. Nurul Islam @ Rizwan. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner has criminal antecedents. A large volume of narcotics was recovered from co-accused. Telephonic conversations show frequent exchanges between the petitioner, Md. Nurul Islam @ Rizwan and co-accused from whom narcotics was recovered.
3. We have considered the materials on record. Petitioner has criminal antecedents. Money trail collected during investigation shows frequent monetary transactions between the petitioner and co-accused viz. Md. Nurul Islam @ Rizwan. A desperate plea has been taken that the said transactions were in connection with legitimate business. No materials in support of licit business activities between

the parties are placed on record. Under such circumstances, bail prayer of the petitioner had been rejected earlier on merits. Delay in the matter is due to abscondence of co-accused viz. Md. Nurul Islam @ Rizwan. Accordingly, we are of the opinion this is not a fit case to grant bail to the petitioner either on merits or on the score of delay in trial.

4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)