

13.03.2024
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 450 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.02.2024 in connection with Rahara Police Station Case No.83 of 2022 dated 03.04.2022 under Section 20(b)(ii)(c) of the NDPS Act.

And

In Re: **Sk. Sukur Ali @ Raja Mondal**

... .. Petitioner

Mr. Debasis Kar

... .. for the petitioner

Mrs. Sonali Das

... .. for the State

1. It is submitted on behalf of the petitioner that no narcotics was recovered from his possession. It is further submitted petitioner has been falsely implicated. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits recovery was made from the residence of the petitioner.
3. We have considered the materials on record. Statement of one neighbour viz. Azaruddin shows petitioner was the owner of the house from where recovery was made. Documents of the local Panchayat authorities corroborate the prosecution case that the petitioner owned a house in the area. Narcotics i.e. 76 kgs. of *Ganja* was recovered from his residence. Petitioner had absconded for a considerable period of time which contributed to the delay. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

