

11.03.2024
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 461 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.02.2024 in connection with Kaliachak Police Station Case No.402 of 2023 dated 31.03.2023 under Sections 188/353/307/34 of the Indian Penal Code and Sections 21(c)/29 of the NDPS Act read with Sections 25/27 of the Arms Act. (NDPS Case No.50 of 2023)

And

In Re: **Uday Mandal**

... .. Petitioner

Mr. Sovan Dasgupta

... .. for the petitioner

Mr. Suman De

... .. for the State

1. It is submitted on behalf of the petitioner that no narcotics was recovered from his possession. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner was the member of a gang who were illegally smuggling *phensedyl syrup* across international border. When confronted, they fired at BSF personnel.
3. We have considered the materials on record. Petitioner is the member of a daring group of smugglers who were smuggling narcotics across international border. BSF personnel intervened and they fired. In view of the gravity of offence and involvement of the petitioner therein, we are not inclined to grant bail to him.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

