

16.04.2024
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 660 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.03.2024 in connection with Gangarampur Police Station Case No.538 of 2023 dated 24.11.2023 under Sections 21(c)/25/27A/29 of the NDPS Act. (NDPS Case No.91 of 2023)

And

In Re: **Suman Kumar Singh @ Suman Kr. Singh**
... .. Petitioner

Mr. Kaushik Choudhury
Ms. Busra Khatoon
... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Ms. Dhanasree Biswas
... .. for the State

1. It is submitted on behalf of the petitioner that he is the helper to the driver of the vehicle. It is further submitted petitioner was not aware of the contraband which was being carried in the truck. Accordingly, he prays for bail.
2. Learned Public Prosecutor opposes the prayer for bail and submits narcotics i.e. 30,300 bottles of *phensedyl syrup* containing *codeine phosphate* were being transported in a vehicle. The vehicle was apprehended when the contraband was being transported to other vehicles. Petitioner was present at the spot. The manner and circumstance in which the petitioner was apprehended with narcotics and the volume of the contraband gives a prima facie impression that he was aware of the nature of contraband articles which were being transported. In view of the aforesaid incriminating materials and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

