

29.04.2024

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rejected

C.R.M.(NDPS) No. 723 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with T.R. Case No. 30 of 2023 arising out of Howrah GRPS Case No. 98 of 2023 dated 30.08.2023 under Sections 21(b)/29 of the NDPS Act.

And

In Re : Avishek Thakur Petitioner

Mr. Mrityunjoy Chatterjee

Mr. Manas Das

Mr. Arindam Poali

....for the petitioner

Mr. Rudradipta Nandy, learned APP

Mr. Sachit Talukdar

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 230 days. It is also submitted no narcotics was recovered from his possession. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner came in a motor cycle. Narcotics amounting to 17 gms. of Cocaine was recovered from his pillion rider. Other co-accused were seen interacting with the petitioner and his pillion rider. Narcotics to the tune of 165 gms of Cocaine in all was recovered from them.

3. We have considered the materials on record. Statements of witnesses show petitioner and his pillion rider came to the spot in a motor cycle. They were interacting with other co-accused. 165 gms of Cocaine in all was recovered from

them. In view of the aforesaid materials we are of the view petitioner had aided and abetted dealing in narcotics above commercial quantity. Accordingly, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)