

CRM (NDPS) 857 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 36 of 2021 arising out of **NCB Crime** Case No. **66/NCB/Kol/2021** under Sections **8(C)/20(b)(ii)(A)/22(c)/23/29** of the NDPS Act.

- A n d -

In the matter of : Toufik Ahmed Khan

.... Petitioner.

Mr. Dipanjan Dutt,

... For the Petitioner.

Mr. Rajdeep Majumder, DSGI,
Mr. M. Mukherjee,

... For the NCB.

It is submitted on behalf of the petitioner that he is in custody for 2 years 9 months and in the meantime, charge sheet has been submitted by the prosecuting agency and the charge was also framed by the Court. The evidence taking process has already started. Out of 11 charge sheeted witnesses 4 have already been examined by the prosecution.

Learned Advocate for the NCB vehemently opposes the prayer for bail and says that there are serious allegations against this accused person. 2500 LSD bots weighing 45.60 gms. were recovered from the possession of the accused person. It is submitted that the bail prayer may be rejected.

We have considered the submissions advanced by both the parties. Perused the materials on record placed before us at the time of hearing. It appears that 2500 LSD bots weighing 45.60 gms were recovered from the possession of the accused person. The

evidence taking process has already started and four witnesses have already been examined.

Considering the facts and circumstances of the case and keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioner on bail.

CRM (NDPS) 857 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)