

25.06.2024
Item no.41.
Court No.28.
S. De
(Rejected)

CRM (NDPS) No. 970 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Masum Sk @ Mursalim Sekh.

.....Petitioner.

Md. Wasim Akram,
.....for the Petitioner.
Ms. Anasuya Sinha,
Mr. Ashok Das,
...for the State.

The petitioner says that there was no recovery of narcotic substance from him. At the highest, he was involved in a scuffle with the police personnel. He is in custody for 290 days. He prays for bail.

We have seen the material in the case diary. It appears that a group of persons including the petitioner beat up police personnel who had tried to seize contraband items from the accused persons. Prayer for bail made by co-accused persons standing on the same footing have been rejected by a co-ordinate Bench. The petitioner, in all probability, was involved in the narcotic trade, otherwise he would not have attacked the police people.

We have also seen the injury report. Assailing police personnel itself is a serious offence. One of the police personnel suffered head injury.

On an overall assessment of the facts and circumstances of the case and the possible extent of complicity of the petitioner in the alleged crime, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

CRM (NDPS) 970 of 2024 is dismissed.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)