

25.
23-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1337 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with NCB Crime No.21/NCB/KOL/2016 dated 09-06-2016 under Sections 15(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Anisur Sekh

.... Petitioner.

Mr. Manas Kumar Das,
Mr. Anirban Chakraborty

... For the Petitioner.

Mr. Arun Kumar Maiti (Mohanty),
Mr. R. R. Mohanty

... For N.C.B.

Dictated by Apurba Sinha Ray, J.

Learned counsel for the petitioner submits that the petitioner has been languishing in judicial custody for more than ten months. He was not present at the time of seizure of the contraband articles. He is the owner of the concerned truck from which allegedly contraband articles were recovered. However, at least on three occasions, final reports have been submitted. But unfortunately, he was arrested on December 22, 2023. Some other accused persons have been discharged from the case. He may be granted bail on any condition.

Learned advocate for NCB opposes the prayer for bail. According to him, there is sufficient incriminating evidence against the present petitioner. Huge quantity of contraband article was recovered from the truck which belongs to the

present petitioner. If the petitioner is enlarged on bail, the prosecution may suffer.

We have gone through the material on record and found that 3400 kg of poppy straw has been recovered from the concerned truck. There are sufficient incriminating materials against the present petitioner. He is the owner of the concerned truck and the contraband article was recovered from the said truck.

In view of the aforesaid material on record, we are not inclined to allow the prayer of the petitioner for bail, at this stage.

The application for bail being CRM (NDPS) 1337 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)