

06.11.2024

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rejected

C.R.M.(NDPS) No. 1505 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with NCB Crime No. 03/NCB/KOL/2024 dated 06.03.2024 under Section 20(b)(ii)(c) of the NDPS Act for violation of prohibition imposed under Section 8(c) of the NDPS Act..

And

In Re : Laltu Ghosh & Anr. petitioners

Mr. Angshuman Chakraborty

Mr. S. S. Saha

....for the petitioners

Mr. Gauranga Kumar Das

Mr. Somnath Adhikary

... for the NCB

1. Learned Counsel for the petitioners submits they are in custody for six months and five months respectively. No narcotics was recovered from their possession. Accordingly, they pray for bail.

2. Learned Counsel for NCB opposes the bail prayer and submits petitioner no. 1 was using a Bangladeshi SIM Card and made international calls to one Majid Mia, a Bangladeshi national to whom narcotics was to be supplied. Tower location of the mobile phones matched with that of co-accused from whom narcotics was recovered.

3. We have considered the materials on record. A Bangladeshi SIM Card was being used by petitioner no. 1 to contact one Majid Mia, another Bangladeshi. Tower location of

both the petitioners had matched with co-accused from whom narcotics was recovered. In view of the aforesaid incriminating materials which disclose nexus between the petitioners and co-accused Bhim Biswas in smuggling narcotics across international border we are not inclined to grant bail to the petitioners at this stage.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)