

1007
16-12-2024
(ct. no.29)
S. De
(Rejected)

CRM (NDPS) 1576 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Samad Hossain. Petitioner.

Ms. Sohini Kundu, ... For the Petitioner.

Mr. Debasish Roy, Ld. P.P.,
Mr. Madhusudan Sur,
Mrs. Shaila Afrin, ... For the State.

Order dictated by Apurba Sinha Ray, J.

1. Learned advocate for the petitioner submits initially he was granted bail on the ground of unlawful detention. However, that bail was cancelled subsequently and he was again taken into custody and since then he is in custody for about 7 months and 22 days. He has been falsely implicated in this case.
2. Considering his period of detention and the fact that he was merely a pillion rider of a motorcycle by which the rider/driver of the motorcycle was carrying contraband article, he may be enlarged on bail on any condition.
3. Learned Public Prosecutor has strongly opposed the prayer for bail. He submits that chargesheet has been submitted in time along with the FSL report. If the present petitioner is granted bail, the prosecution may suffer.
4. We have considered the materials-on-record and the case diary. We find that a huge quantity of contraband article has been recovered from the possession of the present petitioner. There

are sufficient incriminating materials against the present petitioner.

5. Accordingly, we are not inclined to grant bail to the petitioner at this stage.

6. CRM (NDPS) 1576 of 2024 is dismissed.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)