

16.12.2024
Item no. 31.
Court No.29.
AB
(Rejected)

CRM (NDPS) 1592 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail P.S. Case No.477 of 2024 Dated 02.07.2024 under Sections 21C/29 of the NDPS Act

And

**In the matter of : Babu Chatterjee
@ Dipendra Narayan Chatterjee**

.....Petitioner.

Mr. Joydip Biswas,
Mr. Ashok Das,
Mr. Sourav Mukherjeefor the Petitioner.

Mr. Bibaswan Bhattacharya
Mr. Prakash Mishrafor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. He is not the owner of the godown from where the contraband article was recovered. He is merely a security guard. The owner of the godown has been granted anticipatory bail by a Coordinate Bench and as such, he may be granted bail on any condition.
2. Learned Counsel for the State has raised strong objection. According to him, 369 litres of contraband item have been recovered from the possession of the petitioner. Moreover, the place of occurrence was the rented house of the accused Babu Chatterjee and there

are sufficient incriminating materials against the present petitioner.

3. We have considered the materials on record and we find that there are sufficient incriminating materials against the present petitioner. He is not standing on the same footing with the co-accused person, who has been granted anticipatory bail by a Coordinate Bench on earlier occasion. Hence, we are not inclined to allow this application for bail.
4. The prayer for bail is rejected.
5. We direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as soon as possible.
6. The parties shall communicate this order to the learned Trial Court.
7. 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.)

