

06.11.2024
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rejected

C.R.M.(NDPS) 1599 of 2024

In Re:- An application for bail under Section 483 of the BNSS in connection with Sealdah GRPS Case No. 77 of 2024 dated 14.05.2024 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Jagannath Porel petitioner

Mr. Moyukh Mukherjee

Ms. Sagnika Banerjee

Ms. Aishwarya Bazaz

... for the petitioner

Mr. Ranbir Roy Chowdhury

Md. Ejaz Akhter

... for the State

1. Learned Counsel for the petitioner submits he is in custody for six months. It is also submitted narcotics was not recovered from his possession. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer. It is also submitted the petitioner was present at the spot and contraband was to be handed over to him by the co-accused.

3. We have considered the materials on record. Manner and circumstances in which recovery took place *prima facie* establishes complicity of the petitioner in the crime. Co-accused had brought narcotics above commercial quantity i.e 20.39 kgs. of Ganja to be handed over to the petitioner. Petitioner was also present at the spot to receive the contraband.

At the time of transaction they were apprehended. In view of the aforesaid materials and in light of the statutory restrictions under Section 37 of the of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

4. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)