

19.
20-12-2024
(ct. no.29)
debajyoti
(rejected)

CRM (NDPS) 1656 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 Berhampore Police Station Case No.269 of 2024 dated 22-02-2024 under Sections 21(c)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Kamal Uddin

.... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Anisur Rahman

... For the Petitioner.

Mr. Joydeep Roy, learned Jr. Govt. Adv.,
Ms. Nandini Chatterjee

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. There was no recovery of contraband items from him. He has been implicated solely on the basis of statements made by co-accused persons. He is in custody for about six months. Charge is yet to be framed. He prays for bail.

2. Learned State counsel draws our attention to the material in the Case Diary. From CDRs and WhatsApp records, we find that there is sufficient incriminating material against the petitioner to indicate his involvement in the alleged crime. We are also told by learned State counsel that in other NDPS cases, this petitioner was granted bail.

However, he breached conditions of bail and, therefore, the bail was cancelled and he was taken back into custody.

3. In view of the aforesaid and in view of more than 7 kgs. of Morphine being involved in this case, we are not inclined to allow the petitioner's prayer for bail, at this stage.

4. The application for bail is, thus, **dismissed**.

5. We are told that January 08, 2025, has been fixed as the date for consideration of charge. We request the learned trial Court to ensure that charge is framed on that date and trial is expedited in general so that the same can be concluded on an early date.

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

7. 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.)