

CALCUTTA HIGH COURT
Appellate Side

Court
No.8
Sl.5
Ssi/jayanta

C.R.M. (NDPS) 1700 of 2024

22.10.
2024

In Re:- An application for bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 corresponding to erstwhile Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Jamboni Police Station Case No.88 of 2024, dated 05.08.2024 under Sections 20 (b) (ii) (c) 29 of the NDPS Act.

In the matter of:-**Ananda Dey**

Mr. Omar Faruk Gazi
Mr. Ashish Kr. Biswas
...for the petitioner
Mr. Ashok Das
...for the State

This is an application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 corresponding with Section 439 of the Criminal Procedure Code in respect of Jamboni Police Station Case No. 88 of 2024 dated 05.08.2024 under Sections 20 (b) (ii) (c)/29 NDPS Act.

Learned counsel appearing on behalf of the petitioner submits that only a little more than 5 kgs of ganja was allegedly recovered from the petitioner's custody. He is in custody for 79 days.

Learned counsel for the State opposes the prayer and submits that in the same transaction, 25 kgs of ganja was recovered from the petitioner and another. It is a case

of recovery of 25 kgs of ganja from the joint possession of two accused. Investigation is not yet complete.

Considering the fact that 25 kgs of ganja was recovered from the two accused, one of them being the petitioner and in view of the fact that investigation is still going on, we are not inclined to grant bail to the petitioner at this stage.

Accordingly the CRM (NDPS) 1700 of 2024 is rejected.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)