

20.12.2024  
Item no.31.  
Court No.29.  
S. De  
(Rejected)

**CRM (NDPS) No. 1740 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.

And

**In the matter of : Tarikul Islam @ Tarikul Mia @ Torikul Islam @ Torik.**

**.....Petitioner.**

Mr. Wasim Akram,  
Mr. Swakshar Kr. Mondal,  
Ms. Sabrina Parvin, .....for the Petitioner.

Mr. Koushik Kundu,  
Mr. Karan Bapuli, .....for the State.

**Dictated by Arijit Banerjee, J.**

1. We have heard learned counsel for the parties.  
Commercial quantity of contraband items was seized. There may not have been recovery from this petitioner. Mere non-recovery per se does not necessarily indicate innocence of an accused. The Hon'ble Supreme Court has said so in several cases.
2. Drug peddling is an organized crime. It is the huge racket in this country and has assumed menacing proportions. A team operates and it does not always happen that recovery is made from all the accused

persons. Some of the accused persons operate from behind the curtain.

3. Commercial quantity of contraband items being involved, keeping in mind the restriction in Section 37 of the NDPS Act, we are not inclined to allow the petitioner's prayer for bail, at this stage.
4. CRM (NDPS) 1740 of 2024 is dismissed.

**(Apurba Sinha Ray, J.)**

**(Arijit Banerjee, J.)**