

17.01.2024.  
24.  
Ct.No.28  
as  
(Rejected)

**C.R.A. (DB) 371 of 2023**

In Re:- An appeal under sub-section (4) of Section 21 of the National Investigation Agency Act, 2008 in connection with NIA Special Case No.4 of 2022 corresponding to NIA Crime No.RC-43/2022/NIA/DLI dated 20.09.2022 under Section 120B of the Indian Penal Code read with Sections 4/5/6 of the Explosive Substances Act and Section 25(1A) of the Arms Act.

In the matter of : **Manoj Ghosh.**

... Appellant.

Mr. Milon Mukherjee, Id. Sr. Adv.,  
Mr. Biswajit Manna,  
Mr. Alokesh Dalai,  
Ms. Ledia Dasgupta.

...for the Appellant.

Mr. Arun Kr. Maiti (Mohanty),  
Mr. Bhaskar Prosad Banerjee,  
Mr. D. Tandon.

...for the State.

1. Appellant is in custody for more than six months.

He submits that he is a *bona fide* businessman and has been falsely implicated. Illegal explosives have already been recovered. Investigation is complete and further detention is not necessary. Accordingly, he prays for bail.

2. Mr. Maiti for the NIA opposes the bail application.

He submits the instant case arose pursuant to recovery of 81,000 detonators from a vehicle by STF, West Bengal. A criminal case was registered. Subsequently, case was transferred to NIA. In the course of investigation, NIA

revealed a deep rooted conspiracy of illegal use of explosives. One Rintu Sk. illegally supplied explosives to the appellant who carries on stone crestring business. Bail prayer of Rintu Sk. has been turned down by this Court. Further investigation is in progress.

3. Under such circumstances, we do not chose to allow the bail prayer of the appellant at this stage.

4. Accordingly, the prayer for bail of appellant is rejected.

5. Hence, the appeal is dismissed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**