

31.01.2024.  
04.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 2087 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.79 of 2023 arising out of Baishnabnagar P.S. Case No.542 of 2023 dated 13.08.2023 under Sections 21(c)/25/29 of the NDPS Act.

In the matter of : **Majibar Sk @ Majibur Sekh @ Majibur.**  
... Petitioner.

Mr. Arnab Chatterjee,  
Mr. Anisur Rahman.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

1. Petitioner contends no narcotics was recovered from his possession. Investigation is complete. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits report with regard to role of the petitioner in the crime.

3. We have considered the materials on record. Narcotics above commercial quantity i.e. 9.989 kgs. of heroin was recovered from co-accused Pradip Xavier Turkey and Samuel Lhunminlun Khungsai. CDRs shows repeated phone calls between petitioner and co-accused. The aforesaid circumstance is corroborated by money trail traced during investigation. Statement of co-accused Pradip Xavier Turkey shows petitioner had routed money through one Babu and his

son to the said co-accused. Statements of witnesses also show petitioner and the said Babu were carrying business together.

4. Under such circumstances, we are of the opinion there are ample evidence to show involvement of the petitioner in dealing in narcotics.

5. Hence, we are not inclined to grant bail to the petitioner at this stage.

6. Accordingly, prayer for bail of the petitioner is rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**