

10.01.2024

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rejected

C.R.M. (NDPS) No. 23 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 13/NCB/KOL/2022 dated 08.04.2022 under Section 8(c) read with Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In Re : Pratap Singh petitioner

Mr. Kunal Ganguly

Mr. Saptarshi Chakraborty

....for the petitioner

Mr. Himanshu De

Mr. Krishnendu Bhattacharya

..... for the NCB

1. Learned Counsel for the petitioner submits no narcotics was recovered from the possession of the petitioner. He prays for bail.

2. Learned Counsel for the NCB opposes the prayer for bail and submits petitioner is a conspirator and had regular telephonic conversation with co-accused from whom narcotics was recovered. Money trail has also been traced out between the petitioner and co-accused. He has criminal antecedents too.

3. We have considered the materials on record. There are ample materials to show petitioner is a conspirator in dealing in narcotics i.e. 1191 kgs. of Ganja was recovered from a truck by BSF personnel. CDRs show frequent telephonic conversation between the petitioner and co-accused, who is the owner of the truck. Monetary transactions between the owner of the truck and the petitioner has also been traced out. These

materials prima facie disclose involvement of the petitioner in the crime. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)