

17.01.2024

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sdas
rejected

C.R.M.(NDPS) No. 2109 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Katwa Police Station Case No. 441 of 2022 dated 16.07.2022 under Sections 18(b)/25/27A/28/29 of the NDPS Act.

And

In Re : Kangabam Jadu Singh @ Jadumani petitioner

Mr. Sabir Ahmed

Mr. Kalyan Kumar Bhattacharjee

....for the petitioner

Mr. Arijit Ganguly

Mr. Ashok Das

... for the State

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

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Petitioner was seen with the co-accused in a hotel room on 08.07.2022. Soon thereafter on 16.07.2022 and 17.07.2022 narcotics was recovered from the co-accused. CDRs show frequent telephonic communication between the petitioner and co-accused. These materials prima facie lead to an inference of conspiracy between the petitioner and co-accused who are dealing in narcotics. Petitioner hails from a different State. Trial is in progress. There is possibility of his abscondence. Bail prayer of the petitioner was rejected earlier on merits. Under

such circumstances, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)