

29.07.2025
Item no.40
Ct. No. 29
BD.

C.R.M. (NDPS) 621 of 2025

In Re:- An application for bail under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Special Case No. 01 of 2025 arising out of Kalna Police Station Case No. 29 of 2025 dated 07.01.2025 under sections 20(b)(ii)(c) of the NDPS Act, 1985.

In the matter of : ***Ujjal Parui***

.... Petitioner.

Mr. S. D. Mahapatra

Mr. Palash Bapari ... for the petitioner.

Mrs. Anasuya Sinha

Mr. Prakash Mishra ... for the State.

It is submitted on behalf of the petitioner that petitioner is not FIR named but he was arrested on the self-same date of alleged recovery. However, his identity transpired sixteen days thereafter when he was identified in T.I. parade. He is in custody for about six months, in spite of the fact that he has been falsely implicated. Investigation has already been culminated into a charge-sheet and there is no requirement of his further detention and he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that as per prosecution case his description transpired from the statement of independent witness, who stated that his co-villagers Suman Nath, the other co-accused parked the vehicle and witness also found two or three persons

along with Suman Nath by the side of the said vehicle and as such all of them were arrested. He further submits that 67.04 kgs. of ganja was recovered from the said vehicle and the present petitioner was identified by the said independent witness on 24th January, 2025. He further submits that investigation has already been culminated into a charge-sheet but charge has not yet been framed. He further submits that during investigation CDR discloses that there were continuous phone calls in between the present petitioner and the other accused persons.

Having considered the submissions made on behalf of both the parties and from the materials collected during investigation, there is reason to believe that the petitioner is prima-facie guilty of the alleged offence and as such rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner. Thus, the prayer for bail is considered and rejected.

CRM (NDPS) 621 of 2025 is accordingly disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)