

CRM (NDPS) 1793 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Kaliachak Police Station** Case No. **220 of 2024** dated **24.02.2024** under Sections **21(c)/25/27A/29** of the NDPS Act.

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In the matter of : Tenu Mandal @ Mandal Tenu

.... Petitioner.

Mr. Wasim Akram,

... For the Petitioner.

Mr. Madhusudan Sur,
Ms. Nandini Chatterjee,

... for the State.

Dictated by Apurba Sinha Ray, J:-

1. Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. He was not present at the spot where the contraband article was allegedly recovered from one Hiralal. However, the motorcycle belongs to the present petitioner. As the charge sheet has already been submitted and there is no incriminating material against the present petitioner, he may be enlarged on bail considering his period of detention.

2. Learned State Advocate strongly opposes the bail prayer. He says that there are sufficient incriminating materials showing that the contraband article was being carried in the motorcycle of the present petitioner by one Hiralal. Hence, bail should not be granted to the present petitioner.

3. We have considered the materials on record. The petitioner is in custody for about 166 days. However, there are

sufficient incriminating materials showing his involvement in the alleged crime.

4. CRM (NDPS) 1793 of 2024 is, thus, dismissed.

5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)