

CRM (NDPS) 1901 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 **Bhagwangola Police Station** Case No. **430 of 2023** dated **10.09.2023** under Section **21(C)** of the NDPS Act.

- A n d -

In the matter of : Ali Hossain @ Babu Sk @ Ali Hasan Sk

.... Petitioner.

Mr. Tapodip Gupta,

... For the Petitioner.

Mr. Bibhaswan Bhattachayya,

Mr. Atulya Sinha,

... for the State.

Dictated by Apurba Sinha Ray, J:-

1. The petitioner claims that he has been falsely implicated in this case since the house does not belong to him wherefrom the alleged contraband articles were recovered. However, he is in custody for more than six months. As the investigation is complete, he may be enlarged on bail on any condition.

2. Learned State Advocate opposes the bail prayer on the ground that the petitioner absconded for more than nine months and the contraband articles were recovered from the house of the present petitioner. The local witnesses have disclosed that the house belongs to this petitioner. Charges have already been framed and there are 12 charge sheet named witnesses. The prosecution will conclude the trial within a very short span of time.

3. We have considered the materials on record. It appears that there are sufficient incriminating materials against the present petitioner. The petitioner did not deny in his affidavit that the

house wherefrom the contraband items were recovered belongs to him.

4. Considering the materials on record, we are not inclined to enlarge the petitioner on bail at this stage.

5. CRM (NDPS) 1901 of 2024 is, thus, dismissed.

6. 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.)