

16.01.2025
Item no.34.
Court No.29.
S. De
(Rejected)

CRM (NDPS) No. 1913 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

**In the matter of : Soleman Alom @ Alom Sk. @ Alam Sk.
.....Petitioner.**

Md. Wasim Akram,for the Petitioner.

Mr. Rudradipto Nandy, Ld. APP
Mr. S. Balial, ...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned counsel for the petitioner says that the petitioner is in custody for about 245 days. Nothing has been recovered from him. The house belongs to his father. As he is a resident of that house that cannot be a ground for his arrest and detention. He is a truck driver by profession and as such considering the period of detention and materials-on-record, he may be enlarged on bail on any condition.
2. Learned counsel for the State opposes the prayer for bail. According to him, from the concerned premises 7 kg. 9 hundred grams of heroin, 32 lakhs 55 thousand of Indian Currency Notes and one money counting machine were recovered. The investigation

is complete and there are sufficient incriminating materials against the present petitioner along with other accused persons who are relatives of the petitioner showing that they are running a racket jointly. If the petitioner is enlarged on bail, the prosecution may suffer.

3. We have considered the materials-on-record and we find that there are sufficient incriminating materials against the present petitioner.
4. In view of the restriction in Section 37 of the N.D.P.S. Act and also considering the materials-on-record, we are not inclined to allow the prayer for bail of the petitioner at this stage.
5. CRM (NDPS) 1913 of 2024 is 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.)