

24.02.2025

DL-71

Court No.26

CRM (NDPS) 2016 of 2024

*(Bail **Rejected**)*

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No.16 of 2024 arising out of **Berhampore** Police Station Case No.**269** of **2024** dated **22.02.2024** under Sections **21(c)/25/27A/28/29** of NDPS Act, 1985.

-And-

In the matter of : Md. Hassan Uddin @ Hasan Mama
... ...Petitioner

Mr. Jewel Chanda, Advocate
Mr. Kaushik Ghosh, Advocate
Mr. Saptashwa Das, Advocate

... ... For the Petitioner

Mr. Debashis Roy, Ld. PP
Ms. Anasuya Sinha, Ld. APP
Mr. Raju Mondal, Advocate

... ...For the State

1. Petitioner prays for bail.
2. Learned Advocate appearing for the petitioner submits that, the petitioner was falsely implicated. Petitioner is in custody for 313 days. Petitioner possesses valid drug licence.
3. Learned Public Prosecutor draws the attention of the Court to the case diary and the materials on record. He submits that, police is able to establish money trail between one of the accuseds and the petitioner. Moreover, there are multiple Whatsapp chats between the co-accuseds and the petitioner relating to the transaction. There are call details recording between the co-accused and the petitioner.

4. Materials on record establish a nexus between the petitioner and the co-accused who was arrested with the commercial quantity of narcotics. There exists call details recording as also the money trail between such co-accused who was arrested with the commercial quantity of narcotics and the petitioner.
5. In such circumstances, we are of the view that, the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
6. Consequently, we are not inclined to grant bail to the petitioner.
7. Accordingly, the prayer for bail of the petitioner is **rejected**.
8. **CRM (NDPS) 2016 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)