

(2024) 03 TP CK 0052

Tripura High Court- Agartala

Case No: Bail Application 12 Of 2024

Jhutan Nama

APPELLANT

Vs

State Of Tripura

RESPONDENT

**Date of Decision:** March 28, 2024

**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Narcotic Drugs And Psychotropic Substances (NDPS) Act, 1985 - Section 20(b)(ii)(C), 25, 29, 37

**Hon'ble Judges:** Arindam Lodh, J

**Bench:** Single Bench

**Advocate:** A. Pal, Raju Datta

**Final Decision:** Dismissed

### Judgement

Arindam Lodh, J

Heard Ms. A. Pal, learned counsel appearing for the applicant.

Also heard Mr. Raju Datta, learned P.P. appearing for the respondent-State.

This is an application filed by the applicant under Section 439 of CrPC read with Section 37 of the NDPS Act for granting bail to the accused person namely, Bishnu Nama who has been arrested in connection with Kalamchaura P.S. Case No.2023/KLC/082 (NDPS) registered under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

Ms. Pal, learned counsel appearing for the applicant has submitted that there is gross violation of the procedure in the arrest of the accused person which is a good ground for granting bail to the accused person. Another ground she has raised that the accused person has been in custody for more than 217 days and charge-sheet has already been filed.

Mr. Raju Datta, learned Public Prosecutor has submitted that the accused person had been arrested for trading of more than commercial quantity of contraband articles and he is a habitual offender and carrier of drugs and thus he prayed that the bail application may not be considered at this stage.

Keeping in mind the principles of granting bail under Section 37 of NDPS Act, this court is not inclined to grant bail to the accused person at this stage.

Accordingly, the bail application stands rejected and disposed.