

HIGH COURT OF TRIPURA

AGARTALA

BA No.40 of 2026

Sri Basanta Dasgupta

S/o Late Susanta Das Gupta, resident of Tulabagan, Sidhai Mohanpur, P.S.
Sidhai, District – West Tripura.

.....Petitioner(s);

On behalf of :

Sri Rajib Dasgupta,

S/o Sri Basanta Dasgupta, resident of Tulabagan, Sidhai Mohanpur, P.S.
Sidhai, District – West Tripura.

..... Accused Person(s);

V E R S U S

The State of Tripura

Represented by the Principal Secretary to the Government of Tripura.

.....Respondent(s);

For Petitioner(s)

: Mr. Debajit Biswas, Advocate.

For Respondent(s)

: Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

O R D E R

09/03/2026

Heard learned counsel of both sides.

[2] The accused namely, Rajib Dasgupta for whom the bail application is submitted in connection with GRPS No.104 of 2025 registered under Sections 21(c) & 29 of the NDPS Act, 1985, is in custody since his arrest on 30.10.2025. The allegations, in brief as mentioned in the FIR lodged by one Sub-Inspector, Pankaj Biswas, are that on the basis of a secret information, SI Pankaj Biswas on 16.10.2025, with intimation to his superior authority, went to Jirania railway station along with other police personnel and one Deputy Collector & Magistrate of Jirania and found that one goods-carrying train comprising eleven numbers of coaches arrived at the station and recovered total 90,000 numbers of eskuf cough syrup bottles

from two coaches of said train. Those consignments were booked in the name of M/S Bharat Conveyor and M/S Golden Roadways.

[3] Mr. Debajit Biswas, learned counsel for the petitioner, submits that the accused has been falsely implicated in this case. Initially, the police apprehended him as they could notice some suspicious transactions of a big amount of money in his account which was not natural, as he was working as a Manager at Sree Krishna Roadways, but actually said amount was credited into his bank account from his own recurring deposit on its maturity. Learned counsel, Mr. Biswas, further submits that the original owner of Sree Krishna Roadways is one Arun Kumar Ghosh who is also the owner of another transport agency, namely, M/s Golden Roadways and the police, as reflected in the forwarding report dated 26.02.2026, initially submitted before the learned Special Judge that the duty of the present accused was only to maintain the records of said Sree Krishna Roadways. Therefore, according to learned counsel, Mr. Biswas, he has no knowledge or complicity in the alleged drug trafficking. Learned counsel, Mr. Biswas, also submits that another ground of arrest of this accused by the police was his telephonic conversation with the owner of the roadways, namely, Arun Kumar Ghosh, in unusual hours, but being the employee of Arun Kumar Ghosh, it was very natural for the accused to make contact with his master regarding smooth running of his business. Therefore, learned counsel, Mr. Biswas, earnestly prays for bail submitting that the accused is completely innocent.

[4] Mr. Biswas, learned counsel, also relies on a decision of Delhi High Court in case of **Sahil Sharma alias Maxx versus State Govt. of NCT of Delhi [Bail Appl N. 3068/2025 & CrI. M. A. 23762/2025]** wherein the Delhi High Court observed that in the absence of any cogent evidence which

establishes that the transactions were for the purpose of dealing in the contrabands, mere monetary transactions do not establish the accused person's complicity in the commission of offence.

[5] Learned Public Prosecutor, Mr. Raju Datta, however, seriously opposes the prayer, submitting that there are sufficient materials in the case diary showing the accused person's complicity in the alleged crime. Learned Public Prosecutor has also brought to notice the relevant statements of the witnesses indicating the involvement of the accused person in the alleged crime.

[6] Having considered the submissions of both sides and having gone through the case diary, it appears that there are prima facie materials against the present accused person showing his involvement in the alleged crime and in view of rigours of Section 37 of NDPS Act 1985, his bail prayer cannot be allowed.

[7] Considering thus, the instant bail prayer is rejected.

[8] Return the case diary to learned Public Prosecutor with copy of this order.

[9] Also re-consign the trial Court record to learned Court below with copy of this order.

JUDGE