

23.09.2020
Court No.16
Sl. No. 16
GB/SD

CRM 6495 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: **Joydev @ Jaidev Sarkar**

....Petitioner.

Mr. Sk. Salim.

...for the Petitioner.

Mr. Y. J. Dastoor,
Mr. Phiroze Edulji,
Mr. Uttam Basak.

...for the NCB.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that merely on the statement of an accused in an NDPS case, the petitioner has been roped in.

The Union raises a preliminary objection. According to the Union, an order passed by the lower court in August, 2019, has been challenged herein though the previous rejection of the petitioner's prayer for bail by this Court was in September, 2019.

It is the further submission of the Union that two persons were chased upon it being suspected that they were carrying narcotics. As they disembarked from the train, they were apprehended and they named the present petitioner.

Since there does not appear to be any change in the circumstances since the previous rejection of the petitioner's prayer,

which was made at a time when the petitioner's prayer for bail stood rejected by the trial court, the present prayer cannot be acceded to.

CRM 6495 of 2020 and the interim application therein stand disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)