

02.06.2021
Ct.30
Sl.7
KS

(Via Video Conference)
C.R.M. 1984 of 2021
Sofiqul Sk @ Safilul Islam @ Safikul Sk
-Vs.-
The State of West Bengal & Anr.

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

Mr. Kalidas Saha
..... For the Petitioner
Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. A. K. Datta
.....For the State

This is an application under Section 439 of the Code of Criminal Procedure filed on behalf of the petitioner who is one of the accused persons in connection with an offence punishable under Section 18(C) of the Narcotic Drugs and Psychotropic Substances Act now pending before the learned Special Judge, N.D.P.S., 4th Court, Malda, against whom the allegation is that they are into illegal cultivation of poppy plants.

It is submitted on behalf of the petitioner that the petitioner stands on the same footing as that of the other accused persons who have been enlarged on bail by Coordinate Bench of this Hon'ble Court as evident from pages 10 to 23 of this application. The petitioner is in custody for 145 days. Accordingly, learned counsel for the petitioner submits to enlarge him on bail on parity with the other accused persons.

Learned counsel for the State has raised serious objection to grant of bail to the petitioner in view of the fact that he is instrumental in delaying the trial of the case as he was absconding for the last five years.

Therefore, bearing in mind the nature of offence and conduct of the petitioner, the prayer for bail is rejected.

Accordingly, C.R.M. 1984 of 2021 is dismissed.

(Aniruddha Roy, J.)

(Shivakant Prasad, J.)