

09.12.2021

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rejected

C.R.M. 5245 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 1191 of 2020 dated 17.11.2020 under Section 20(c)/29 of the NDPS Act.

And

In Re : Rafikul Sk. @ Dilip Sk. petitioner

Mr. Mrityunjoy Chatterjee
... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 388 days.

Learned Counsel appearing for the State opposes prayer for bail.

Statements of witnesses including contemporaneous documents show recovery of 30 Kgs. of Ganja from the possession of the petitioner.

In view of the aforesaid fact and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

