

09.12.2021
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sdas
rejected

C.R.M. 6048 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 803 of 2019 dated 05.12.2019 under Sections 18(b))/29 of the NDPS Act.

And

In Re : Rabiul Mahalder @ Rabiul Mahaldar @ Dhapa petitioner

Mrs. Rupanwita Lahiri (Pandit)
... for the petitioner

Mr. Neguive Ahmed, learned APP
Ms. Sujata Das
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 728 days.

Learned Counsel appearing for the State opposes prayer for bail.

Having considered the materials in the case diary prima facie disclosing involvement of the petitioner in the alleged possession of narcotic substance above commercial quantity i.e. 4.178 kgs. of Opium and in view of statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to him.

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.)

