

06.12.2021

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rejected

C.R.M. 7788 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bashirhat Police Station Case No. 187 of 2019 dated 01.03.2019 under Section 21(C) of the NDPS Act.

And

In Re : Bilas Majhi petitioner

Mr. Susnigdho Bhattacharyya
... for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record prima facie disclosing involvement of the petitioner in the alleged possession of narcotic substance i.e. 24 bottles of Phensedyl bottles containing codeine mixture above commercial quantity. We also note that the direction of this Court to conclude trial within a period of six months could not be compiled with due to circumstances beyond the control of the prosecution.

In view of above facts and statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to conclude the trial at the earliest without granting any unnecessary adjournment to either of the parties.

(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.)

