

07.12.2021
tkm/ct 28
sl no. 94

C.R.M. 8027 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Karimpur P.S case no. 72 of 2020 dated 20.3.2020 under sections 20(b)(c) of the NDPS Act,

And

In Re : Rabjel Mondal @ Kalu @ Rabgul petitioner

Mr.Souvik Mitter
Mr. Amanul Islam
Mr. S Mukherjee

..... for the petitioner

Mr. N P Agarwala
Mr. Saryati Datta

..... for the State

Petitioner renews his prayer for bail and submits that no narcotic was recovered from his possession

Learned lawyer for the State opposes prayer for bail and submits that the petitioner along with other co-accused persons were carrying narcotic substance in two vehicles and petitioner had fled in a Hyundai i-10 vehicle being mark WB-02Z-8207 while the other vehicle bearing registration mark WB-02Z-5129 was apprehended and narcotic substance above commercial quantity was recovered.

We have considered the materials on record. Statements of witnesses show that a person had fled from the spot in the aforesaid Hyundai i-10 vehicle at the time narcotic was recovered from an accompanying vehicle. Said vehicle was subsequently recovered from the residence of the petitioner. Hence, there are materials on record disclosing complicity of the petitioner in alleged crime.

In view of the aforesaid materials on record and as prayer for bail of the petitioner was rejected earlier and there is no change in circumstances since the rejection of his bail prayer, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

However, trial court is directed to proceed with the trial with utmost expedition and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)