

21.12.2021
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rejected

C.R.M. 8618 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakulia Police Station Case No. 120 of 2021 dated 12.05.2021 under Sections 21(C) of the NDPS Act.

And

In Re : Farman Sk. petitioner

Mr. Ayan Bhattacharya

Mr. Pawan Gupta

Mr. Avishek Prasad

... for the petitioner

Mr. Swapan Banejee

Mr. Anindya Sundar Chatterjee

... for the State

It is submitted by the learned Counsel appearing for the petitioner that his complicity transpires from his confessional statement before the police.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the petitioner is a conspirator and had unauthorisedly supplied cough syrup containing codeine mixture to the co-accused from whom the contraband was seized. It is further submitted there were regular telephonic exchanges between the petitioner and the co-accused which fortifies the allegation of conspiracy.

We have considered materials on record. Statements of witnesses as well as call detail records and the bills seized in the course of the investigation prima facie show that the petitioner unauthorisedly supplied cough syrup containing codeine

mixture to various persons including the petitioner from whom the alleged seizure has been effected in the present case.

In view of the prima facie involvement of the petitioner in the alleged crime, 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.)

