

28.02.2022
Ct.29
RP 63
Rejected

CRM (DB) 560 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kaliachak PS Case No.27 of 2016 dated 20.01.2016 under Section 8/18 of NDPS Act, 1985.

And

In the matter of : Gudar Mandal

.... Petitioner

Mr. Kalidas Saha

.... For the Petitioner

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

.... For the State

The petitioner seeks bail.

Learned advocate for the petitioner submits that the petitioner is in custody for 296 days. The police filed charge sheet and further detention of the petitioner is not required.

Learned advocate appearing for the State submits that the petitioner is the owner of the land which was used for poppy cultivation and the petitioner was absconding for three years.

Considering the gravity of offence and the involvement of the petitioner therein and considering the fact that the petitioner is the owner of the land which was used for poppy cultivation the petitioner is unable to overcome the restrictions under Section 37 of NDPS Act, 1985. Moreover there is the aspect of long absconsion of the petitioner. Consequently, we are unable to grant bail to the petitioner.

The prayer for bail is rejected.

CRM (DB) 560 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)