

25.01.2023

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rejected

C.R.M. (NDPS) No. 15 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of NCB Crime No. 05/NCB/KOL/2020 dated 28.01.2020 under Sections 8(c) read with Section 21(c) of the NDPS Act.

And

In Re : Baburam Harijan petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha
... for the petitioner

Mr. Anirban Mitra
... for the NCB

Learned Counsel for the petitioner submits he is in custody for about three years. It is also submitted that there is delay in trial. He prays for bail.

Learned Counsel for the NCB opposes the prayer for bail and submits bail prayer of co-accused viz. Raghubir Singh was rejected by this Court in CRM (NDPS) No. 55 of 2023.

Communication by the learned Counsel for the NCB is placed on record. From the communication it appears delay was due to abscondence of co-accuseds. Under similar circumstances prayer for bail of another co-accused viz. Raghubir Singh has been turned down. Hence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

