

22.03.2023

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rejected

C.R.M. (NDPS) No. 460 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ketugram Police Station Case No. 358 of 2021 dated 04.08.2021 under Section 21(c) of the NDPS Act.

And

In Re : Mujibuddin Sekh petitioner

Mr. Krishnendu De

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

... for the State

Learned Counsel for the petitioner submits he is in custody for about two years. It is also submitted no prosecution witness has been examined. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits one witness has been examined.

We have considered the materials on record. Bail prayer of the petitioner was rejected on merits earlier. Charge has been framed in September, 2022 and trial is in progress.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

