

03.07.2023
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 1161 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Chinsurah Police Station Case No.468 of 2015 dated 22.09.2015 under Sections 328/379/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 328/379/34 of the Indian Penal Code and Section 21(a) of the NDPS Act. (NDPS Case No.18 of 2016)

And

In Re: **Animesh Saha @ Guddu @ Amimesh Saha**
... .. Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar
Ms. Madhurai Sinha

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he was on bail but due to non-communication with his lawyer he was unable to appear before the court. Accordingly, his bail was cancelled. He is in custody for about 109 days. Hence, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits petitioner absconded for more than seven years. This delayed the trial.

We have considered the materials on record. There are materials implicating the petitioner in the crime. He had absconded for more than seven years. In view of his conduct, we do not consider it prudent to release the petitioner on bail particularly when the trial has been delayed due to his abscondence.

The application for bail is thus rejected.

Trial court is directed to proceed with the matter with utmost expedition.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)