

23.08.2023

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rejected

C.R.M.(NDPS) No. 1429 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 322 of 2014 dated 16.04.2014 under Sections 22/23 of the NDPS Act.

And

In Re : Saider Molla @ Chhaider Mondal Petitioner

Mr. Jisan Hossain

Ms. Chandrima Debnath

....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

..... for the State

1.Learned Counsel for the petitioner submits he is in custody for 42 days. It is also submitted that no narcotics was recovered from his possession. He prays for bail.

2.Learned Counsel for the State opposes the bail prayer and submits he absconded for nine years.

3.We have considered the materials on record. Though the evidence against the petitioner appears to be incidental his conduct of abscondence for about a decade has derailed the prosecution completely. Under such circumstances, we do not consider it fit to release the petitioner on bail at this stage.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)