

17.11.2023
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 1752 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.10.2023 in connection with Nabagram Police Station Case No.32 of 2022 dated 01.02.2022 under Sections 21(c)/22/25/27A/28/29 of the NDPS Act. (NDPS Case No.41 of 2022)

And

In Re: ***Rejaul Ali @ Khokan Sk. @ Rejaul Karim***
... .. Petitioner

Mr. Suman Bhanja
... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about one year and nine months. Co-accused has been enlarged on bail. 250 gms. of *Heroin* was recovered from the possession of the co-accused. He has been falsely implicated. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier. He does not stand on the same footing with co-accused who is a lady and does not have criminal antecedents.
3. We have considered the materials on record. Bail prayer of the petitioner was rejected on merits in August, 2022. He has criminal antecedents and does not stand on the same footing with co-accused who is a lady and does not have criminal antecedents. Bail prayer of other co-accused has been rejected by this court in CRM (NDPS) 1751 of 2023. Directions have been given for expeditious

conclusion of trial. Under such circumstances, we are not inclined to grant bail to the petitioner.

4. The application for bail is thus rejected.
5. Trial shall be conducted in terms of the direction given in CRM (NDPS) 1712 of 2023.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)