

30.01.2024
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 186 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.01.2024 in connection with Hili Police Station Case No.87 of 2023 dated 05.05.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In Re: ***Maman Mondal @ Mamun Mondal***

... .. Petitioner

Mr. Kaushik Choudhury

... .. for the petitioner

Ms. Subhasree Patel

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses show petitioner was dealing in narcotics which was kept in the house of co-accused viz. Khairul Mondal. Khairul Mondal has been released on statutory bail. Petitioner has absconded and was arrested subsequently. Accordingly, he cannot pray for bail on parity with co-accused viz. Khairul Mondal. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)