

CRM (NDPS) 869 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hasnabad Police Station** Case No. **279 of 2022** dated **04.06.2022** under Sections **21(c)** of the NDPS Act read with Sections 14A/14C of the Foreigners Act.

- A n d -

In the matter of : Jamsed Malla @ Jamshed Mulla @ Malla
.... Petitioner.

Md. Mazhar Hossain Chowdhury,

... For the Petitioner.

Mr. Koushik Kundu,
Mrs. Suchismita Dutta,

... For the State.

The petitioner says that no contraband item was recovered from his possession. The principal accused, who is a foreigner, is in custody. He has no connection with the alleged offence. He is in custody for 57 days. Charge sheet has been filed upon completion of investigation. He may be released on bail.

Learned Advocate for the State points out that the petitioner's application for anticipatory bail being CRM (A) 4755 of 2022 was dismissed by a coordinate Bench by an order dated November 10, 2022. The petitioner was absconding for about two years, after which he was arrested. If granted bail, there is every chance of the petitioner absconding again.

Having considered the materials on record which point towards the prima facie involvement of the petitioner in the alleged crime, as also considering the unhappy conduct of the petitioner and keeping in view the restrictions in Section 37 of the NDPS Act,

we are not inclined to entertain the petitioner's prayer for bail at this stage.

CRM (NDPS) 869 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)