

25.06.2024
Item no.10.
Court No.28.
S. De
(Rejected)

CRM (NDPS) No. 946 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Joinal Abedin @ Jony Sk @ Jony.

.....Petitioner.

Mr. Tapodip Gupta,
.....for the Petitioner.
Mr. Benoy Panda,
Mr. Dipankar Mahata,
...for the State.

The petitioner says that there was no recovery of contraband item from him. He has been implicated solely on the basis of the statement made by a co-accused that he allegedly fled away from the place of seizure.

Learned advocate for the State produces a case diary and draws our attention to the fact that the motorcycle from which seizure of commercial quantity of Phensedyl was made, is registered in the name of the petitioner.

We also find that a co-ordinate Bench rejected the petitioner's prayer for anticipatory bail by an order dated February 6, 2024 passed in CRM (A) 5466 of 2023 on the ground of seizure of commercial quantity of contraband from a motorcycle registered in the name of the petitioner.

In view of the aforesaid, we are not inclined to grant bail to the petitioner.

CRM (NDPS) 946 of 2024 is dismissed.

We are told that the petitioner is in custody for 122 days. Chemical Report is awaited. The Director, FSL shall ensure that the Chemical Report is placed before the learned Trial Court within a month from the date of communication of this order by the parties to the Director, FSL.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)