

17. 08.07.2024
Court
No.28 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1021 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Ashoknagar P.S. Case No. 23/2009 dated 18.03.2022.
And

In the matter of: - **Dhrubajyoti Ghosh @ Gour**

Mr. Subhas Chadra Atha, Adv.,
Ms. Payel Pramanik, Adv.
...for the petitioner.

Mr. Shekhar Barman, Adv.
...for the State.

Order dictated in open Court by Apurba Sinha Ray, J.

Learned Counsel for the petitioner submits that he is in custody for about 60 days. Earlier he was granted bail but due to certain predicament he could not appear before the Trial Court and as such, Warrant of Arrest was issued against him and since then he is in custody.

Learned Counsel appearing for the State opposes the bail prayer. According to him, the petitioner has absconded for nearly 14 years after obtaining bail from this Court and as such he prays for rejection of the bail prayer of the petitioner.

We have considered the rival contentions of the parties. It appears that the petitioner had absconded nearly for 14 years. If we release the petitioner on bail now, there is every possibility that he may again abscond.

On an overall assessment of the facts of the case and also in view of commercial quantity of contraband items being involved and the statutory restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner's prayer for bail, at this stage.

Therefore, the prayer for bail is rejected.

The application being CRM (DB) 1021 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)