

11.07.2024
Item no. 29.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1074 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P.S. Case No.106 of 2023 dated 12.2.23 under Sections 21C/25/29 of the NDPS Act

And

In the matter of : Neherul

.....Petitioner.

Md. Wasim Akramfor the Petitioner.

Ms. Minoti Gomes
Ms. Suchismita Duttafor the State.

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

Learned Counsel for the petitioner has submitted that he is in custody for about 114 days and nothing was recovered from his possession. The concerned police personnel recovered some incriminating material from a pond at the rear portion of their house, which belongs to his father. The said pond is accessible to the local villagers. Considering the period of detention and the stage of investigation, the petitioner may be granted bail on any condition.

Learned Advocate for the State has opposed the prayer for bail. According to her, the petitioner is a history-sheeter and several cases of similar nature are pending against him in the Courts of Law. Moreover, other accused persons are still

absconding. If the petitioner is granted bail, the prosecution may suffer a lot.

After considering the material on record as well as CD, it appears that there is certain incriminating material against the present petitioner. We have also considered the statements of the witnesses recorded under Section 161 Cr.P.C. It is further true that the other accused persons are also absconding. Considering all the aspects of the matter, we are not inclined to grant bail to the petitioner, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1074 of 2024 is dismissed.

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.)