

3 30.10.2024
ss/jks
rejected

CRM (NDPS) 1719 of 2024

In the matter of : An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) in connection with Jalangi P.S. Case No. 1058 of 2014 dated 16.11.2014 under Section 21(C) of the NDPS Act, 1985.

And

In the matter of : Md. Sekender Ali

Mr. Jisan Iqbal Hossain

... ... for the petitioner

Mr. Rudradipta Nandy, APP

Ms. S. Saha

... ... for the State

Heard learned advocates representing the parties.

At the outset learned advocate for the petitioner submits that there is change in circumstances after the order was passed on 29th April, 2024 by a coordinate Bench rejecting the bail application. It is further submitted that one of the seizure witnesses did not support the prosecution case.

Having considered the fact that narcotic substance has been recovered from the possession of the petitioner and the trial is continuing and considering the past conduct of the petitioner who was absconding for nine years, we are not inclined to grant bail to the petitioner. It is also required to be recorded that rigor of Section 37 of the NDPS Act does not permit grant of bail at this stage.

Accordingly, the application being CRM (NDPS) 1719 of 2024 stands dismissed at this stage.

(Partha Sarathi Chatterjee, J.)

(Saugata Bhattacharyya, J.)