

13.11.2024
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rejected

C.R.M.(NDPS) No. 1742 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kaliachak Police Station Case No. 436 of 2022 dated 01.05.2022 under Sections 21(c)/25/29 of the NDPS Act.

And

In Re : Achinta Mandal petitioner

Mr. Arup Kumar Bhowmick

....for the petitioner

Ms. Amita Gaur

Mr. Rajesh Jana

... for the State

1. Learned Counsel for the petitioner submits he is in custody for over one year and two months. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits 600 bottles of phensedyl syrup were recovered from the petitioner. Delay in the matter is due to abscondence of co-accused.

3. We have considered the materials on record. 600 bottles of phensedyl syrup were recovered from a toto. Petitioner is the owner of the said vehicle. Delay in the matter is contributed by the petitioner's abscondence and presently by abscondence of co-accused who are on bail. In view of the aforesaid facts and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner either on merits or on the score of delay in trial.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)