

25.02.2025
Serial no. 42
[Dd]
(Bail **Rejected**)

CRM (NDPS) 1845 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Raghunathganj** Police Station Case No. **362** of **2018** dated **2nd August, 2018** under Sections **21(C)/29** of NDPS Act., 1985.

-And-

In the matter of : Raj Kumar Ghosh @ Fouji

... ..Petitioner

Mr. Arnab Chatterjee,
Ms. Poulami Bose, Advocates
... .. For the Petitioner

Mr. Debasish Roy, PP
Mr. Rudradipta Nandy, APP
Ms. Sanjana Saha, Advocates
... ..For the State

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that petitioner was initially arrested under the present police case and was granted statutory bail. Petitioner was, however, shown arrested in a murder case where, on completion of trial petitioner was acquitted. He submits that the petitioner was subsequently arrested in the present police case although, petitioner informed the Special Judge of the fact that the petitioner was shown arrested in the murder case.
3. Learned Additional Public Prosecutor relies upon a report dated February 4, 2025 and submits that, the petitioner could be arrested after warrant of arrest being issued.
4. Commercial quantity of contraband was seized from the possession of the petitioner.
5. Petitioner is in custody for 160 days.

6. Trial is in progress with schedule for recording the evidence of the prosecution being fixed. Court is informed that the prosecution is likely to examine 13 witnesses.
7. In such circumstances, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
8. Consequently, we are not inclined to grant bail to the petitioner.
9. Prayer for bail of the petitioner is **rejected**.
10. **CRM (NDPS) 1845 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)