

25.02.2025
Serial no. 50
[Dd]
(Bail Rejected)

CRM (NDPS) 1954 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 **Kaliachak** Police Station Case No. **764** of **2020** dated **05.10.2020** under Sections **14A(a)(b)** of the Foreigners Act read with Section **27** of the Drugs and Cosmetic Act.

-And-

In the matter of : Manirul Islam @ IdulPetitioner

Mr. Pervej Anam, Advocate

... .. For the Petitioner

Mr. Debabrata Chatterjee

Ms. Snigdha Saha, Advocates

... ..For the State

1. Petitioner is a foreign national.
2. We are not inclined to extend the benefit of Article 21 of the Constitution of India so far as petitioner before us is concerned in parity with other co-accuseds who were granted such facility considering the fact that the co-accused are Indian nationals while the petitioner is not.
3. There is every possibility of the petitioner as a foreign national while on bail and the petitioner not standing trial.
4. Commercial quantity of contraband is involved in the police case.
5. Petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
6. Consequently, we are not inclined to grant bail to the petitioner.
7. Prayer for bail of the petitioner is **rejected**.
8. **CRM (NDPS) 1954 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)