

25.02.2025
Serial no. 54
[Dd]
(Bail **Rejected**)

CRM (NDPS) 1980 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 **Raninagar** Police Station Case No. **193** of **2022** dated **24.05.2022** under Sections **21(c)/29** of the NDPS Act., 1985.

-And-

In the matter of : Israil Mondal & Anr.

... ..**Petitioners**

Mr. Debanshu Ghorai,
Mr. Anisur Rahaman, Advocates
... .. *For the Petitioners*

Mr. Madhusudan Sur, APP
Ms. Rita Datta, Advocates
... ..For the State

1. Petitioners pray for bail on the ground that the seizure list does not contain the name of the petitioners. No recovery was made from the possession of the petitioners.
2. Learned advocate appearing for the State draws the attention of the Court to the two earlier orders of rejections dated February 21, 2024 passed in CRM (NDPS) 318 of 2024 and order dated July 16, 2024 passed in CRM (NDPS) 1069 of 2024. He submits that Special Leave Petition carried against one of the orders was dismissed.
3. The ground that no recovery was made from the possession of the petitioners was canvassed in the earlier round of applications for grant of bail. Petitioner no. 1 canvassed such point in CRM (NDPS) 318 of 2024 which was rejected on February 21, 2024. Petitioner no. 2 canvassed such point in CRM (NDPS) 1069 of 2024 which was rejected on July 16, 2024.
4. There is hardly any change in circumstances subsequent thereto save and except that the trial is in progress with

only around four prosecution witnesses remaining to be examined. Plea for bail cannot be made on the same ground repeatedly.

5. In the present case petitioners are renewing the prayer for bail on the same plea which stood rejected earlier.
6. In such circumstances, we are of the view that the petitioners are unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
7. Consequently, we are not inclined to grant bail to the petitioners.
8. Prayer for bail of the petitioners is **rejected**.
9. **CRM (NDPS) 1980 of 2024 is dismissed.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)