

10.02.2025
Item no. 47.
Court No.29.
AB
(Rejected)

CRM (NDPS) 1987 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NCB Crime No.50/NCB/KOL/2017 under Section 8C/20(b)(ii)(b) of the NDPS Act

And

In the matter of : Mukesh Kumar Sah Petitioner.

Mr. Ashok Das,
Ms. Hasi Jana for the Petitioner.

Mr. Arun Kr. Maity (Mohanty)
Mr. Somnath Adhikary for the NCB.

Dictated by Arijit Banerjee, J.

1. Report filed by the Narcotic Control Bureau, be kept with the records.
2. We find that this petitioner had been granted bail on December 22, 2017, by this Court. However, he stopped attending the learned Trial Court. Accordingly, warrant of arrest was issued. After he successfully absconded for a considerable period of time, he could be apprehended from Bihar on 25.10.2024 by NCB.
3. The petitioner now prays for bail saying that he is in custody for 108 days. An accused person is enjoying bail.
4. Learned Advocate for the NCB strongly opposes the prayer for bail.
5. We find that because of the absconsion of the petitioner, the trial got delayed. He is a resident of Bihar. There is

every possibility of the petitioner again disappearing if he is granted bail. His conduct does not entitle him to the privilege of bail.

6. Hence, in spite of intermediate quantity of ganja being involved, we are not inclined to allow the petitioner's prayer for bail, at this stage.
7. The prayer for bail stands rejected.
8. CRM (NDPS) 1987 of 2024 is dismissed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)