

61.
10-02-2025
(ct. no.29)
S. De

CRM (NDPS) 2018 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Bapi Mandal.

.....Petitioner.

Mr. Kazi Maklesur Rahman,
Mr. Navanil De,
Mr. Shoumilyo Mazumder,

.....for the Petitioner.

Ms. Faria Hossain, Ld. APP,

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. He is in custody for 244 days. Other accused persons have been granted bail by this Court. He prays for bail.
2. Learned State advocate, while opposing the prayer, has drawn our attention to the material in the case diary. We have seen the seizure list and the re-seizure list. The initial seizure was by the BSF personnel. It appears that this petitioner was the only person who could be apprehended while the others fled. We are further told that some of the accused persons' prayer for anticipatory bail was rejected by this Court. Since then they are absconding.
3. Commercial quantity of contraband items being involved, in view of the restriction in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail.
4. CRM (NDPS) 2018 of 2024 is dismissed.

5. However, considering that the petitioner is in custody for more than 8 months, we request the learned Trial Court to expedite the trial and conclude the same on an early date.
6. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)