

18.02.2025
Item no. 20.
Court No.29.
AB
(Rejected)

CRM (NDPS) 40 of 2025

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 Ashoknagar P.S. Case No.23 of 2009 Dated 19.01.2009 under Section 21 of the NDPS Act

And

In the matter of : Khokon Mondal @ MonaPetitioner.

Mr. Partha Pratim Das,
Mr. Monojit Chakrabortyfor the Petitioner.

Mr. Antarikhya Basu,
Mr. Soumyadip Sahafor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was last rejected by us on July 16, 2024 in CRM (NDPS) 1076 of 2024. He says that he is in custody for ten months. There is no appreciable progress in the trial. He renews his bail prayer.
2. Learned State Counsel vehemently opposes the prayer primarily on the ground that the petitioner was absconding for about 15 years. He says that charge has been framed. There are 11 charge sheet named witnesses. The trial is likely to conclude within a year from date.
3. We have considered the materials on record. Although intermediate quantity of narcotics is involved, we are not inclined to allow the petitioner's prayer for bail because of his post bail conduct. After having been

released on bail by this Court, he absconded for about 15 years thereby stalling the trial. If we release the petitioner on bail now, there is every possibility of the petitioner disappearing again.

4. The prayer for bail is rejected.
5. CRM (NDPS) 40 of 2025 is dismissed.
6. However, if the trial is not concluded within a reasonable period of time, the petitioner will be at liberty to renew his prayer for bail.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)