

T. R Case No. 20 of 2024

Order No. 33 dated: 05.02.2025

The accused persons are produced through VC, two bail applications are filed on behalf of accused Soumya Mallick and Rudal Singh and accused Debobrota Das is present by filing hazira, as it is submitted.

The Ld. P.P. Incharge is present, as it is submitted.

The bail prayers are moved with submission that the employers namely Debobrota Das and Sankar Sardar have been granted anticipatory bail by the Hon'ble High Court after report placed on record by the State itself showed that there was valid licence to deal in drugs.

The Ld. P.P. Incharge raises strong objection submitting that after the granting of aforesaid anticipatory bail by the Hon'ble High Court, this Court has rejected the bail prayer of the accused persons who are under different facts and circumstances and prayer for interim return of seized materials as filed by the accused Debobrota Das has also been rejected.

Heard both sides.

Perused the material on record.

Considered.

It appears that as it is pointed out, it has not been established before this Court that the facts and circumstances under which the Hon'ble High Court has been pleased to grant anticipatory bail to the persons who are a dealer in drugs and his associate are identical for the present accused persons and that after the rejection of the bail prayer of the said accused persons by this Court by order no. 32 dated 17-01-2025, there has been any change in circumstances for releasing them on bail. In such situation, when with respectful reference it appears that it has not been established or shown pointed out that the facts and circumstances under which the Hon'ble High Court has been pleased to grant bail to other accused persons who are a dealer in drugs and his associate are applicable for the present accused persons and considering the point that nothing has also been shown to opine that there has been any change in circumstances for granting bail to the accused persons after their bail prayer has been rejected by this very Court, it appears that it is not possible to bail out the accused persons at this stage.

So the bail prayers are considered and rejected accordingly.

To 18.02.2025 for production of the accused persons and IO report.

Dictated & Corrected by me,

Special Judge,
Incharge

Judge, Special Court under
N.D.P.S Act, Howrah.
Incharge