

09.09.2020

p.b.
Ct. No.16

CRM 5698 of 2020
CRAN 4078 of 2020

(via video conference)

In re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with NDPS Case No.27 of 2019/NCB Crime No.22/NCB/Kol/2019 under Sections 8(C)/f/w 21(C), 25 and 29 of the NDPS Act, 1985.

In re: Soumo Sarkar

.....Petitioner

Mr. A. K. Biswas,
Mr. Jakir Hossain.

.....for the petitioner.

Mr. Y. Z. Dastoor,
Mr. Uttam Basak.

.....for the N.C.B.

Learned advocate appearing on behalf of the petitioner submits that the petitioner is an innocent and has been falsely implicated in this case. The petitioner is in custody for 308 days although nothing could be recovered from the custody of the petitioner.

Learned advocate appearing on behalf of the N.C.B. has placed materials before us including the statement of the victim which reveals that the petitioner is a habitual offender of carrying phensedyl in excess of commercial quantity in the godown which is a destination for reaching such huge quantity of phensedyl.

Having regard to the statement made by the petitioner himself and having regard to the presumption of Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner at this stage. Prayer for bail is refused and dismissed.

CRM 5698 of 2020 and CRAN 4078 of 2020 are disposed of.

(Kausik Chanda, J.)

(Sahidullah Munshi, J.)