

30.09.2020

Ct. No. 16

Item no. 02
D/L
(Rejected)

akd

CRM 6287 of 2020
With
CRAN 1 of 2020 (Old CRAN 4807 of 2020)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on NIL in connection with Katwa Police Station Case no. 48 of 2019 dated 29.01.2019 under Section 21 (c) of the Narcotic drugs and Psychotropic Substances Act, 1985 (Special Case No. 09 of 2019)

And

In the matter of : **Sanjeet Adhikari**

...Petitioner.

Mr. Subrata Bhattacharjya.

...For the Petitioner.

**Mr. N. Ahmed,
Ms. Amita Gaur.**

...For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 01 of 2020 is accordingly disposed of.

Learned Advocate for the petitioner submits that there is no material available to the prosecution, which may lead to his guilt or complicity to the commission of offence. It is strongly submitted that while he was in custody in connection with another case, the present case has been initiated and the petitioner was shown arrested in connection with the instant case and is unnecessarily languishing in jail for more than 240 days.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the contraband was recovered from the house of the petitioner; on his disclosure, which was of commercial quantity. It is further submitted that the trial has commenced and four witnesses have been examined so far.

Considering the submissions made at the Bar and on perusal of the materials available on record and the fact that the

trial has commenced, we do not find that the petitioner has been able to make out a case for an exception provided under Section 37 of the N.D.P.S. Act.

The prayer for bail is thus rejected.

However, we request the learned Judge of the Special Court to make endeavour to bring the case to its logical end at the earliest.

The application for bail, being CRM 6287 of 2020, is accordingly dismissed.

(Subhasis Dasgupta, J)

(Harish Tandon, J)