

9.9.2020
ks/sk
Item no.10
Rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.6339 of 2020

Wasim Akram

-vs-

The State of West Bengal
with

CRAN/1/ 2020

In Re: An application for bail under **Section 439 CrPC** in connection with Jagaddal P.S. Case No.176 of 2019 dated 19.2.2019 under sections 21(c)/25 of the NDPS Act, 1985.

Mr. Debasis Kar

...for the petitioner.

Ms. Faria Hossain,

Mr. Subrata Roy

... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

The learned Advocate for the petitioner submits that the petitioner is in custody for more than 568 days and further detention of the petitioner is unwarranted in view of the stage of the offence.

The learned Advocate appearing for the State opposes the prayer for bail and submits that 2.5 liters of Codeine Mixture were recovered from the possession of the petitioner and the case is at the stage of trial.

We have perused the materials on record and the fact that commercial quantity of contraband were recovered from the possession of the petitioner and as Section 37 of the NDPS Act creates a bar, there is no scope for releasing the petitioner on bail at this stage.

As such, the prayer for bail of the petitioner is rejected.

However, considering the period of detention, the learned Trial Court is directed to expedite the progress of the trial, once the normal functioning of the court resumes.

With the aforesaid observations, CRM No.6339 of 2020 and **CRAN/1/ 2020** are disposed of.

[Tirthankar Ghosh, J]

[Samapti Chatterjee, J]