

16.09.2020

BP/BR
Sl.16

CRM 6612 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439
of the Code of Criminal Procedure, 1973.

In the matter of : Majnu Haque @ Miah...petitioner

Mr. Gopa Biswas
Mr. Firdous Samim
..for the petitioner.

Ms. Aditi Shankar Chakraborty
..for the State.

According to the prosecution the accused was arrested while possessing 200 numbers of yaba tablets. It is submitted on behalf of the petitioner that uba tablets are not mentioned in the schedule of narcotic drugs and accordingly the accused cannot be held to be in possession of narcotic substance. Moreover, there is no material that the alleged quantity of uba tablets constituted commercial quantity so the petitioner should be released on bail.

We have carefully perused the materials on record annexed with the application for bail. In the

instant case chargesheet has already been submitted under Section 21(C) of the NDPS Act. Uba tablets are the local name of narcotic substance with methamphetamine or amphetamine. The chemical examination report has not been received by the prosecution as yet. Without considering the chemical examination, we are not inclined to release the petitioner on bail at this stage.

Accordingly, the prayer for bail is thus rejected.

The Investigation Officer is directed to collect chemical examination report positively within a month from the date of this order and place it with the record of the trial court.

The application for bail being C.R.M. 6612 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Bibek Chaudhuri, J.)