

CRM 6777 of 2020
with
IA No. CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.5 of 2018, corresponding to NDPS Case No.05 of 2018, arising out of NCB Crime No.04 of 2018 (04/NCB/KOL/2018) under Sections 8(c)/20(b)(ii)(B)/22(c)/28/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Krishna Chandra Das**

....Petitioner

Mr. A. Bhattacharjee
Mr. Arnab Sengupta

...for the Petitioner

Mr. Y.J. Dastoor, ld. ASG
Mr. Phiroze Edulji
Mr. Uttam Basak

...for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The last rejection of the prayer was on June 19, 2020.

The petitioner points out that a subsequent prayer was made before the trial court, bail was obtained and the bail was subsequently cancelled when this Court's order dated June 19, 2020 was placed before the trial court. The petitioner says that the previous order of this Court also records that the seizure made from the petitioner was not of commercial quantity.

Whatever may have been the reasons for declining the petitioner's prayer on June 19, 2020, such order cannot be reopened now unless there is any change in the circumstances. Due to the pandemic and the effects thereof, no trial has been conducted for the last six months or so. Nothing has changed for reconsidering the petitioner's case.

Accordingly, the present petition is dismissed and the petitioner is permitted to renew the prayer in the event there is any change in circumstances.

CRM 6777 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)