

17.11.2020
SL No.18
Court No.12
(GB)

**CRM 7731 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chandannagar** P.S. Case No.**40/2020** dated **28.05.2020** under Section **21(c)** of the N.D.P.S. Act.

And

In the matter of: **Manik Roy.**

....Petitioner.

Ms. Madhurima Sarkr.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

The 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.

Identical matters with two different numbers appeared before two different Division Benches, one before the Vacation Bench and the other one before us.

The learned Counsel for the State submits that a Coordinate Bench during vacation on 5th November, 2020 disposed of CRM 7753 of 2020 with the following observations:

“The petitioner claims that the allegation of alleged seizure of commercial quantity of codeine mixture made from the petitioner, is false. The petitioner says that no signature of any independent witness appears from the seizure report and, as such, the petitioner cannot be proceeded against.

Since it does not appear that the statutory period for filing the charge-sheet has expired yet, the prayer for bail is not

considered at this state. In the event, the statutory period is not extended in accordance with law, the petitioner will be entitled to renew the prayer.”

In view of the aforesaid direction no further order needs to be passed in this application as in the present application self-same direction has been prayed for.

Under such circumstances this application stands dismissed as withdrawn.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)