

13.10.2020.

Item No. 4

(Rejected)

ab

C.R.M. 7764 of 2020
+
I.A. No. C.R.A.N. 1 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Berhampore P.S. Case No. 208 of 2020 dated 29.02.2020 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. act.

And

In the matter of : **Suchandan Chowdhury @ Papai.**

... petitioner.

Mr. Tapodip Gupta.

...For the petitioner.

Ms. Faria Hossain.

...For the State.

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

Accordingly, the application being IA No. CRAN 1 of 2020 is disposed of.

Learned Counsel for the petitioner submits that he is innocent and no way connected with the alleged offence.

Learned Counsel for the State submits that the person on the same footing was denied bail by a Co-ordinate Bench on 25th September, 2020 in CRM 7151 of 2020.

It is beyond any dispute that Debnath Chowdhury, who has been described as Khalasi in the petition, was denied bail by a Co-ordinate Bench on 25th September, 2020. The Division Bench observed that since it is undeniable position that the commercial quantity of cannabis is said to have been recovered from the possession of the petitioner, the petitioner does not qualify to obtain bail.

Having regard to the fact that the petitioner would describe himself as Driver and stands on the same footing as

of Debnath Chowdhury, we are inclined to follow the order passed by a Co-ordinate Bench in CRM 7151 of 2020 on 25th September, 2020.

Accordingly, the application for bail being CRM 7764 of 2020 is **rejected**.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)