

13.10.2020.

Item No. 6

(Rejected)

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C.R.M. 7771 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Mothabari P.S. Case No. 286 of 2019 dated 20.07.2019 under Sections 21(c)/29 of the N.D.P.S. act.

And

In the matter of : **Jaman Biswas @ Kamrujjaman**

... petitioner.

Mr. Maunick Ghosh.

...For the petitioner.

Mr. Sanjoy Bardhan,

Mr. Palash Chandra Majhi.

...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.

Learned Counsel for the petitioner submits that the co-accused similarly placed have been granted anticipatory bail on 2nd December, 2019 and he has been falsely implicated.

Learned Counsel for the State submits that the application for anticipatory bail of the petitioner was rejected on 10th February, 2020 in CRM 1434 of 2020. Moreover, the petitioner has criminal antecedent and narcotic substance of commercial quantity was recovered from him in relation to other case.

Having regard to the materials on record, prima facie, disclosing involvement of the petitioner as the owner of the vehicle and he has a criminal antecedent, we are not inclined to release the petitioner on bail.

We have been informed that the charge sheet has been submitted along with the chemical examination report.

Under such circumstances we direct the learned Additional District Judge, 2nd Court, Malda to complete the

process of framing of charges and thereafter to proceed with the matter in accordance with law.

Accordingly, the application for bail being CRM 7771 of 2020 is **rejected**.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)