

15.10.2020
D. List no.10.
Bpg & Jks.

CRM 7885 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No.23 of 2020 under Section 21(c)/20(b)(ii) of the N.D.P.S. Act corresponding to N.D.P.S. Case No.7 of 2020 dated 30.01.2020.

And

In the matter of: **Hafizul Mondal**

...Petitioner.

Ms. Joyita Roy,
Mr. Subhadeep Chatterjee.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Ms. Joyita Roy, learned advocate appearing for the petitioner submits that the petitioner is languishing in jail for more than 250 days in connection with the aforementioned case and, therefore, should be released on bail as the charge-sheet has already been filed.

The learned advocate appearing for the State opposes the prayer for bail. He relies upon the seizure list as well as the statement recorded under Section 161 of the Code of Criminal Procedure to corroborate the fact that the recovery of the contraband was made from the possession of the petitioner.

Considering the submissions advanced before us and on perusal of the materials available from the case diary and the

content of the seizure list, we do not feel that the petitioner has been able to make a case of exception under Section 37 of the N.D.P.S. Act. The prayer for bail is rejected.

CRM 7885 of 2020 is dismissed.

(Harish Tandon, J.)

(Shampa Sarkar, J.)