

20.10.2020
D.L. No.25
Bpg.

**CRM 8265 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDP|S Case No.74 of 2019, arising out Ghoskadanga Police Station Case No.261 of 2019, dated 22.09.2020 under Sections 20(b) (ii) (C) of the Narcotic Drugs and Psychotropic Substance Act, 1985.

And

In the matter of: **Sudhir Mallik and another**

...Petitioners.

Mr. Hillol Saha Poddar

...for the petitioners

Mr. Arun Sarkar

Mr. Abhijit Sarkar

...for the State

The petitioners undertake 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.

The petitioners were apparently apprehended with commercial quantity of contraband in their possession. The petitioners, however, say that the charge-sheet, that has been filed, do not reveal that any chemical analysis report has been obtained.

There is no doubt that the chemical analysis report will be present at the time of trial. Furthermore, once it is evident that commercial quantity of contraband was recovered from the possession of the petitioners, such petitioners would not qualify to obtain bail.

CRM 8265 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)

