

18.11.2020

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CRM 8711 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda P.S. Case No.463 of 2020 dated 29.08.2020 under Sections 21(C)/29 of Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Swapan Mandal & Anr.**

....Petitioners.

Mr. Amarendra Chakraborty

...for the Petitioners.

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi

...for the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The only excuse given to seek bail is that the petitioners were not informed of the petitioners' right to carry out a body search on the police personnel before any seizure was made from the petitioners' person.

The State says that commercial quantity of brown sugar was recovered from the joint possession of the petitioners and two others. In the light of such alleged recovery, the petitioners do not qualify to obtain bail. In any event, the investigation has not been completed yet.

The prayer for bail is denied and CRM 8711 of 2020 is dismissed.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)