

25.11.2020
Ct.16
RP 20

CRM 8732 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1908 in connection with Deganga Police Station Case No.669/19 dated 13.11.2019 under Sections 21(c)/29 of NDPS Act.

And

In the matter of : Joynal Molla @ Pute
..... Petitioner

Mr. Satadru Lahiri, Adv.
.... For the Petitioner

Mr. P.K. Datta, APP
Mr. Pradipta Ganguly, Adv.
.... For 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 conferencing on the basis of such undertaking.

The petitioner says that though it is alleged that the petitioner was found with commercial quantity of Codeine mixture in his possession, no chemical analysis report has been obtained and the charge-sheet has been mechanically made out.

The matter was adjourned on November 19, 2020 to enable the State to indicate whether the chemical analysis report was filed. It is reported by the Inspector-in-Charge of Deganga Police Station that the report of the chemical examination of the substance has not been received yet.

A part of the delay is because of the restricted functioning during the lockdown. In such view of the matter, the prayer for bail is rejected at this stage with a direction on the State to ensure that the

chemical analysis report is filed in the trial Court by February 15, 2021. In the event the chemical analysis report is not filed before the trial Court by such date, it will be open to the petitioner to apply for bail afresh.

CRM 8732 of 2020 is disposed of.

Authenticated website copies of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Aniruddha Roy, J.)

(Sanjib Banerjee, J.)

