

05-11-2020
k.b./b.r.
Item no.07
Crt. 08
rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 8817 of 2020
Arajit Taltali @ Arijit Taltali @ Lambu
-vs-
State of West Bengal
(Via video conference)

In Re: An application for bail under Section 439 CrPC in connection with N. Case No. 16 of 2020 under Section 21 (c) of the NDPS Act 1985 arising out of Jagaddal P.S. Case No. 136 of 2020 dated 24th February, 2020.

Mr. Shibaji Kumar Das

...for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

Learned advocate for the petitioner submits that the petitioner is in custody for 257 days and there are anomalies in the forwarding report which touches the route of the case.

Learned advocate for the State opposes the prayer for bail and submits that recovery was effected from the possession of the petitioner and as such we are of the opinion that the provision of Section 37 of the NDPS Act is attracted.

We have perused the materials on record and on appreciation of the same, we are of the opinion that commercial quantity of contraband (Codeine Mixture) has been recovered from the possession of the

petitioner and as such the petitioner is not entitled to be released on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

With the aforesaid observation, CRM 8817 of 2020 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Tirthankar Ghosh, J.]

[Ashis Kumar Chakraborty, J.]