

05.11.2020

Item no. 13

Ct.8

SSI/CHC

Rejected

**C.R.M. No.8834 of 2020
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No. 211 of 2020 dated 25.06.2020 under Sections 21(c)/22(c)/27A/27B/29 of the N.D.P.S. Act.

And

In the matter of:-

Sunil Kundu @ Sunil Kumar Kundu

... Petitioner

Ms. Bushra Khatoon

.. for the petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Ch Majhi

..for the State

Learned advocate for the petitioner submits that the recovery of the contraband which is 500 gms of brown sugar was recovered from the joint possession of the present petitioner and another.

Learned advocate further submits that the petitioner is in custody for about 133 days and as such further detention is unwarranted.

Mr. Bardhan, learned advocate for the State opposes the prayer for bail and submits that the recovery was from the

possession of the petitioner and investigation of the case is still in progress.

Having considered the stage of the investigation and the fact that the commercial quantity of contraband has been recovered from the joint possession of the petitioner and another, we are of the opinion that the petitioner has not been able to overcome the rigor of Section 37 of the N.D.P.S. Act, as such the prayer for bail of the petitioner is rejected.

C.R.M.8834 of 2020 is disposed of.

(Ashis Kumar Chakraborty, J.)

(Tirthankar Ghosh, J.)