

24.11.2020
SL No.36
Court No.12
(gc)
(rejected)

CRM 9132 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Swarupnagar P.S. Case No.42/2020** dated **23.01.2020** under Section 21(c) of the N.D.P.S. Act.

And

In the matter of: **Palash Biswas**

....Petitioner.

Mr. Kallol Kr. Basu,
Mr. Md. Jannat Ul Firdous

...for the Petitioner.

Mr. Swapan Banerjee,
Ms. Punima Ghosh

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Considering the fact that prior to the date of filing of this application, supplementary charge-sheet was filed on 13th October, 2020 after obtaining the chemical examination report of the alleged narcotic substance which fact was not known to the petitioner at the time of filing of the present application. In view of prima facie involvement of the petitioner and recovery of narcotic substance above commercial quantity, we are not inclined to release the petitioner on bail at this stage.

We, however, direct the trial Court to take appropriate steps in accordance with law upon consideration of the chemical examination report filed along with supplementary charge-sheet filed on 13th October, 2020 and conclude the proceeding as early

as possible without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM 9132 of 2020 is rejected.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)