

27.11.2020.
Item No. 15

(Via Video Conference)

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C.R.M. 9371 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Sujit Chowdhury
... petitioner.

Mr. Mazhar Hossain Chowdhury, ...For the petitioner.

Mr. Sanjay Bardhar,
Mr. Palash Chandra Majhi, ...For the State.

The learned Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking and urgency, the application is taken up for hearing through Video Conference.

The learned advocate for the petitioner has submitted that the petitioner has been falsely implicated in connection with the instant case and, therefore, he should be released on bail. It is further submitted that charge sheet has not yet been submitted so there is no further progress shown in this regard.

The learned advocate for the State opposes the prayer for bail. He submits that the charge sheet has already been submitted and the date for framing charge is fixed on 18th December, 2020.

In view of the fact that the contraband was recovered from the possession of the petitioner which is admittedly a commercial quantity and in the light of the provisions of Section 37 of the N.D.P.S. Act and the nature, seriousness of the allegations and the gravity of the offence, in our opinion,

this is not a fit case for bail and, accordingly, the prayer for bail of the petitioner stands rejected.

We, therefore, direct the learned Judge to take up the matter on the date so fixed, i.e., 18th December, 2020 and shall see that the progress is made to the said case in accordance with law and endeavours shall be shown to dispose of the same expeditiously.

The application being CRM 9371 of 2020 is dismissed.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)