

CRM No.252 of 2021

14.01.21

(S.R.)
Sl.20
Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Malda Police Station Case No.463 of 2020 dated 29.08.2020 under Sections 21(C)/29 of the NDPS Act;

And

In re: **Swapan Mandal @ Swapan Kumar Mandal & Anr.**

... petitioners.

Mr. Kallol Mandal

Mr. Musharraf Alam Sk.

... for the petitioners.

Mr. Sudip Ghosh

Mr. Apurba Kr. Datta

...for the State.

Mr. Mondal, learned advocate appearing for the petitioners submits that the samples of the seized contraband substance were not drawn at the spot and the petitioners have been falsely implicated in the present proceedings. They are in custody for more than four months.

Mr. Ghosh, learned advocate appearing for the State respondent denies the contention of Mr. Mondal and submits that seizure was in compliance with the statutory provisions. Contraband substance above the commercial quantity was seized from the joint possession of the petitioners and others.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the extent of complicity of the petitioners in the alleged offence and the fact that contraband substance above the commercial quantity was seized, we are not inclined to grant bail to the petitioners.

Accordingly, the application for bail being CRM No.252 of 2021 is dismissed.

