

15.01.2021
Court No.28
Item No. 39
Krishnendu
Bail Rejected

**CRM 347 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Kalimuddin Sk. @ Kalimuddin Shaikh**

.....Petitioner

Mr. Mounick Ghosh

....For the Petitioner

Mr. Saryati Dutta

.....For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Tehatta Police Station Case No. 132 of 2020 dated 19.03.2020 under section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985

The learned advocate appearing for the petitioner submits that the petitioner is in custody since 19th March, 2020 and charge sheet has already been submitted. As such, further detention of the petitioner is unwarranted

Mr. Datta, learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner happens to be sole accused and supplementary charge sheet is yet to be submitted after obtaining the Chemical Examiner's report.

We have perused the case diary including the seizure list.

Having regard to the fact that the contraband, so seized, was above commercial quantity , we are of the opinion that the petitioner has not been able to overcome the rigors of section 37 of the N.D.P.S. Act. As such, the prayer for bail of the petitioner is rejected.

With the aforesaid observations, the application for bail, being CRM No. 347 of 2021, is dismissed.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)