

15.01.2021
Item no.43
Court No.28
Avijit Mitra

C.R.M. 351 of 2021 (via video conferencing)

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

And

In Re : Saddam Sk.

.... petitioner

Mr. Sabir Ahmed,
Mr. Ali Ahsan Alamgir
....for the petitioner
Mr. Sanjay Bardhan,
Mr. Ranodeb Sengupta
..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Berhampore Police Station Case No.382 of 2020 dated 25.04.2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Mr. Ahmed, learned advocate appearing for the petitioner submits that without any information to the petitioner, an application was filed for extension of the time towards conclusion of investigation and for filing of charge sheet. The petitioner was thus deprived of his opportunity to claim statutory bail.

Mr. Sengupta, learned advocate appearing for the State submits that prior to expiry of the period for filing of charge

sheet, an application was submitted for extension. Such fact was also within the knowledge of the petitioner.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the fact that the application for extension was filed prior to expiry of the time for filing of the charge sheet, we are not inclined to grant bail to the petitioner.

The application for bail being C.R.M. No.351 of 2021 is, accordingly, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)