

19.02.2021
Court No.28
rpan /26
(Via Video Conference)

C.R.M. 424 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection Titagarh Police Station Case No.98 of 2019 dated 20.02.2019 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [No. N-3-/2019];

And

In Re : **Sagar Das @ Lakhi & Another**

...Petitioners.

Mr. Debasis Kar,
Mr. Subhajit Chowdhury
....for the petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta
....for the State

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. According to him, there are discrepancies and inconsistencies in the evidence of the witnesses. The investigation is over, charge-sheet has been filed and as such, further detention of the petitioners, who are in custody for about two years, is not necessary.

Mr. Roy Chowdhury, learned advocate appearing for the State opposes the petitioners' prayer and submits that out of seven witnesses, five have already been examined and the next date is fixed on 1st March, 2021.

Having heard the learned advocates and considering the materials in the case diary, stage of the trial and as, *prima facie*, contraband substance above commercial quantity was recovered from the petitioners, we are not inclined to exercise

any discretion in favour of the petitioners, viz., **Sagar Das @ Lakhi** and **Shib Nath Dey Sarkar @ Shebai**, and as such their prayer for bail is refused at this stage.

Accordingly, the application for bail, being CRM 424 of 2021, is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)