

18.03.2021

CRM 810 of 2021

Court No.28
Item No.78

akd

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 19.01.2021 in connection with Bhabanipur Police Station Case No. 73 of 2020, dated 27.06.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : **Tapas Das.**

...Petitioner

Mr. Amal Krishna Samanta.

...For the Petitioner

**Mr. Madhusudan Sur,
Mr. Monoranjan Mahata.**

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Bhabanipur Police Station Case No. 73 of 2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for more than 250 days and he has been falsely implicated in the instant case, as he was only present in the house of Imran Khan. Additionally, it is submitted that on any stringent condition the petitioner may be released on bail.

Learned Advocate for the State opposes the prayer for bail and draws attention of this Court to the seizure list, which reflects seizures were effected amounting to more than six kilograms of codeine mixture which were recovered and as such the provisions of Section 37 of the N.D.P.S. Act is attracted.

After hearing the submissions of the respective Counsels and on perusal of the materials available in the case diary including the seizure list and the statement of the witnesses and considering the fact that commercial quantity of contraband is involved in the alleged

offence, we are not inclined to grant bail to the petitioner.

The application for bail, being CRM 810 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Tirthankar Ghosh,J.)