

**18.03.2021**  
Item No.96  
Ct.No.28  
Subha  
**rejected**

**C.R.M. 864 of 2021**  
**(Via Video Conference)**

**Subhash Ghosh & Anr.**  
**-vs-**  
**The State of West Bengal**

**In Re:** An application for bail under Section 439 Cr.P.C in connection with Nischinda P. S. Case No. 16 of 2019 dated 06.02.2019 under Sections 468/471/472 of the Indian Penal Code and 20(b)(ii)C/29 of the Narcotic Drugs and Psychotropic Substance Act, 1985.

Mr. Subrajyoti Ghosh

... For the Petitioners.

Mr. Madhusudan Sur,  
Mr. Manoranjan Mahato

... For the State.

It is submitted that commercial quantity of contraband was recovered from the joint possession of the petitioners. The petitioners are languishing in jail since 5<sup>th</sup> February, 2019.

Since the commercial quantity of contraband has been recovered from the joint possession of the petitioners and in view of the provisions contained in Section 37 of the NDPS Act are attracted, we are not inclined to release the petitioners on bail. As such, the prayer for bail of the petitioners is rejected.

However, the prosecution is directed to see that the case which has already been committed to trial is expedited.

With the aforesaid observations, the application for bail being CRM 864 of 2021, is, accordingly, disposed of.

**(Harish Tandon, J.)**

**(Tirthankar Ghosh, J.)**