

18.03.2021
Item No.97
Ct.No.28
Subha
rejected

C.R.M. 865 of 2021
(Via Video Conference)

Pappu Singh & Anr.
-vs-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with English Bazar P. S. Case No. 498 of 2020 dated 13-06-2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985(Special Case No. 45/2020).

Mr. Sagar Saha

... For the Petitioners.

Mr. Binoy Panda
Ms. Puspita Saha

... For the State.

Learned advocate appearing for the petitioners submits that 350 grams of brown sugar was recovered from the joint possession of the petitioners.

However, learned advocate for the petitioners submits that the petitioners are in custody for 279 days and till date Chemical Examiner's report has not been submitted. As such, there is no scope for the trial commencing in the near future.

Learned advocate for the State opposes the prayer for bail of the petitioners and submits that the seizures effected is of

commercial quantity and as such provisions of Section 37 of the NDPS Act is attracted in this case.

After perusing the materials available in the case diary, the seizure list, we find involvement of the present petitioners in this case and as above commercial quantity of contraband is recovered from the joint possession of the petitioners, as such, we are not inclined to release the petitioners on bail. As such, the prayer for bail of the petitioners is rejected.

However, the Investigating Agency is directed to collect the Chemical Examiner's report from the concerned laboratory and submit it before the learned special court for expediting the progress of the case.

With the aforesaid observations, the application for bail being CRM 865 of 2021, is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)