

24.03.2021.
Item No.109
(Rejected)

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C.R.M. 1205 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2021 in connection with Swarupnagar P.S. Case No. 908 of 2019 dated 24.10.2019 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of : **Arshad Ali Mondal.**

... petitioner.

Mr. Shashanka Sekhar Saha.

...For the petitioner.

Mr. Sanjoy Bardhan,
Ms. Manisha Sharma.

...For the State.

This is an application for bail in connection with Swarupnagar Police Station Case No. 908 of 2019 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at the behest of the petitioner.

The commercial quantity of contraband has been recovered from the possession of the petitioner, who is languishing in jail for a period of 485 days. The charge-sheet has been submitted and the next date is fixed on 12th and 13th May 2021 for examination of the charge-sheeted witnesses.

Since the contraband of commercial quantity was recovered from the exclusive possession of the petitioner and in view of the restriction having been imposed under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, we are not inclined to release the petitioner on bail.

Accordingly, the application for bail being CRM 1205 of 2021 is **rejected**.

It is informed to us that the petitioner is suffering from various ailments.

The Superintendent of the concerned Correctional Home is directed to provide medical assistance to the

petitioner and the treatment, which may be suggested to the petitioner.

We expect that the learned Judge, Special Court, will take up the matter on the next date so fixed and efforts shall be made to complete the trial at an earliest.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)