

27.05.2021
Court No.28
rpan / 42

C.R.M. 1332 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection Swarupnagar Police Station Case No.1077 of 2019 dated 14.12.2019 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [N.D.P.S. Case No. N-251/2019];

And

In Re: **Momrej Khan**

...Petitioner.

Mr. Utsav Dutta,
Mr. Subrata Saha

... for the Petitioner.

Mr. Nguive Ahmed,
Ms. Zareen N. Khan,
Mr. Pratick Bose

... for the State

Mr. Dutta, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. There had been no independent witness at the time of recovery of contraband substance and such contraband substance was not recovered from the petitioner's possession. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for 530 days, is not necessary.

Records reveal that the matter was last heard on 25th March, 2021 when the learned advocate appearing for the State was directed to produce the chemical examination report. Today Mr. Ahmed, learned advocate appears for the State and has placed before us the chemical examination report.

He further submits that after receiving the said report, supplementary charge sheet has also been filed. Let the documents, as produced, be kept on record.

Records, *prima facie*, reveal that contraband substance above commercial quantity was recovered from the possession of the petitioner. Considering the gravity of the offence and the extent of complicity of the petitioner, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the application for bail, being C.R.M. No. 1332 of 2021, is rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)