

28.07.2021

Court No.28
Item No.07
(Rejected)

Akd
&
As

CRM 1341 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Ashokennagar Police Station Case No. 269 of 2017, dated 07.04.2017 under Sections 22(b)(ii)(c) of the N. D. P. S. Act.

And

In the matter of : **Saurav Kundu @ Akai.**
...Petitioner

Mr. Susnigdho Bhattacharya.
...For the Petitioner

Mr. Ranabir Roy Chowdhury,
Mr. Rudradipta Nandy.
...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 Ashokennagar Police Station Case No. 269 of 2017, dated 07.04.2017 under Sections 22(b)(ii)(c) of the N. D. P. S. Act.

While on police remand in connection with another case, on the leading statement of the petitioner pertaining to the recovery of a personal diary, the police while going for a search, found contraband above the commercial quantity. It is undeniable that the house belong to the petitioner and the recovery was shown therefrom.

In view of the recovery of the commercial quantity of the contraband from the house of the petitioner, we do not think that it is a fit case where we can take exception to the provision contained in Section 37 of the N. D. P. S. Act.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 1341 of 2021, is thus **dismissed.**

However, we direct the learned Judge, Special Court to

expedite the matter and bring it to its logical end at an earliest.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)