

16.07.2021

(Via Video Conference)

Court No. 28
Item No. PB - 10
nandy

CRM 1354 of 2021

(bail - rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 00.02.2021 in connection with Mongalkote Police Station Case No. 32 of 2020 dated 12.02.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act. (Special Case No. 06 of 2020)

and

In the matter of: **Meher Ali Sk. & Ors.**

..... Petitioners

Mr. Krishnendu De, Advocate

.....for the Petitioners

Mr. Saryati Dutta, Advocate, Advocate

..... for the State

Advocate-on-record of the petitioners undertake to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioners have filed the instant application for bail in connection with Mongalkote Police Station Case No. 32 of 2020 dated 12.02.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

2.5 litres of codine mixture was recovered from the joint possession of the present petitioners at the time of interception and the petitioners are in custody since February 12, 2020. Chargesheet has already been submitted.

According to the learned Advocate of the State, trial has already commenced.

Since commercial quantity of contraband was recovered from the joint possession of the petitioners, we do not think they are able

to make out any case for taking exception to the rigor of Section 37 of the Narcotic Drugs & Psychotropic Substances Act. Furthermore, trial has already commenced.

As such, the prayer for bail is **rejected**.

The application being **CRM 1354 of 2021** accordingly **dismissed**.

However, we request the Special Judge, NDPS Court, to take utmost endeavour to bring the case to its logical conclusion at an earliest.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)