

09.07.2021
Court No.5
SL No.6
AP/ss

CRM 1405 of 2021

(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kusumandi P.S. Case No.69 of 2020 under Sections 21C/23C of the NDPS Act.

And

In the matter of: **Ansarul Alam**

....Petitioner.

Mr. Tapan Dutta Gupta

Mr. Parvej Anam

...for the Petitioner.

Mr. Sanjay Bardhan,

Mr. Nirupam Dhali

...for the State.

The charge is under Sections 21C and 23C of the NDPS Act.

The petitioner says that he has been framed. In fact, no recovery was made from him. The co-accused has been granted bail by this Court by an order dated November 5, 2020.

Prosecution produced the case diary. We have perused the same. It appears from the search/seizure list that commercial quantity of contraband was recovered from the exclusive possession of the petitioner. Further, the co-accused was granted bail on the ground that there was no recovery from him.

Having regard to the nature and gravity of the charge as also the statutory bar provided under Section 37 of the NDPS Act, we are unable to grant bail, as prayed for, at this stage.

CRM 1405 of 2021 is dismissed.

[Arijit Banerjee, J.]

[Arindam Mukherjee, J.]