

06.04.2021.
143.
as
(Rejected)

C.R.M. 1468 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baduria P. S. Case No.420 of 2019 dated 12.09.2019 under Sections 21 (C) of the N. D. P. S. Act.

In the matter of : Gouranga Adhikari.

.... Petitioner.

Ms. Sanghita Chatterjee,
Mr. Subhendu Das.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

The Advocate-on-record of the petitioner undertakes 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.

This is a renewal application for bail in connection with Baduria P. S. Case No.420 of 2019 dated 12.09.2019 under Section 21 (C) of the N. D. P. S. Act at the behest of the petitioner.

The petitioner is in custody for nearly one year and seven months in connection with the instant case.

Prima facie it appears from the record that contraband articles were recovered from the possession of the petitioner.

We do not find that the petitioner has been able to make out a case for taking exception of Section 37 of the N. D. P. S. Act.

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

However, the State is directed to take utmost steps to have the charge framed by the Special Judge.

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)