

06.04.2021

CRM 1480 of 2021

Court No. 28
Item No. 147
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(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 04.02.2021 in connection with Basirhat Police Station Case No. 666 of 2020 dated 03.06.2020 under Sections 21(c)/29 of the Narcotic Drug and Psychotropic Substances Act. (N Case No. 108 of 2020)

and

In the matter of: **Bhim Biswas @ Bhim Chandra Biswas**

..... Petitioner

Mr. Surajit Basu, Advocate

.....for the Petitioner

Mr. Sanjay Bardhan, Advocate

Mr. Palash Chandra Majhi, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Basirhat Police Station Case No. 666 of 2020 dated 03.06.2020 under Sections 21(C)/29 of the Narcotic Drug and Psychotropic Substances Act.

This is the second application for bail. Earlier application was rejected on October 21, 2020 in CRM 8487 of 2020. The case has been launched against the petitioner on the premise of recovery of contraband from his possession. A case is projected before us on the medical instability of the petitioner and it is contended that he is suffering immensely and has been hospitalized twice while in correctional home.

We have perused the documents and find that petitioner was extended medical assistance. We hope and trust that if the petitioner is advised to have any further medical assistance the same shall be extended to him to combat with the ailments reported to have been suffered by him.

Since commercial quantity of contraband is recovered from the possession of the petitioner, which attracts Section 37 of the

N.D.P.S. Act, we are not inclined to release the petitioner on bail.

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

The application being **CRM 1480 of 2021** accordingly **dismissed**.

However, we direct the Superintendent of the concerned correctional home to provide all medical assistance and help to the petitioner as and when needed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)