

CRM No.1779 of 2021
Via video conference

22.04.21
(S.R.)
Sl.128
Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chapra Police Station Case No.396 of 2020 dated 20.10.2020 under Sections 21(c)/29 of the NDPS Act;
And

In re: Anarul Mondal

... for the petitioner.

Mr. Sagnik Mukherjee

... for the petitioners.

Mr. Sanjoy Bardhan

Mr. Palash Majhi

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. A co-accused person had already been enlarged on bail by a coordinate bench of this Court on 4th January, 2021. Upon completion of investigation charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for more than 170 days is not warranted.

Mr. Bardhan, learned advocate appearing for the State opposes the petitioner's prayer and submits that contraband substance of commercial quantity was recovered from the possession of the petitioner. There was no recovery of narcotic substance from Nawab Mondal, who had been enlarged on bail.

Having heard the learned advocates and considering the material in the case diary, the gravity of the offence and the fact that contraband substance above commercial quantity was recovered from the possession of the petitioner, we are of the opinion that the provisions of Section 37 of the NDPS Act are attracted and as such, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the application for bail being CRM No.1779 of 2021

is rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)