

24.06.2021

(Via Video Conference)

Court No. 28
Item No. PB-17
nandy/seth

CRM 1808 of 2021

(bail rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 12.02.2021 in connection with Monteswar Police Station Case No. 145 of 2020 dated 09.06.2020 under Sections 21(c) of the Narcotic Drugs & Psychotropic Substances Act (Special Case No. 14 of 2020).

and

In the matter of: **Jagannath Ghosh**

..... Petitioner

Mr. Krishnendu De, Advocate

.....for the Petitioner

Mr. Saibal Bapuli, learned A.P.P.

Mr. Sanjay Bardhan, Advocate

Mr. Palash Chandra Majhi, Advocate

..... for the State

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.

The petitioner has filed the instant application for bail in connection with Monteswar Police Station Case No. 145 of 2020 dated 09.06.2020 under Sections 21(c) of the Narcotic Drugs & Psychotropic Substances Act.

This is a renewal of the prayer for bail at the behest of the present petitioner. It is submitted by the learned Advocate for the petitioner that the petitioner is in custody for a period of 321 days and, therefore, should be enlarged on bail.

On the other hand, learned Advocate for the State opposes the prayer for bail and submits that commercial quantity of codine mixture was recovered from the exclusive possession of the petitioner and, therefore, the petitioner is not entitled to bail.

After hearing the respective counsel and on perusal of the materials-on-record and the quantity of the contraband seized from the exclusive possession of the petitioner, we do not think that the petitioner has been able to make out any case to take an exception under Section 37 of the N.D.P.S. Act.

The prayer for bail is **rejected**.

The application being **CRM 1808 of 2021** accordingly **dismissed**.

However, we request the learned Special Judge to expedite the trial of the case.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)