

03.06.2021

Sl. No.6

Court No.30

BM

CRM 2170 of 2021
(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

In the matter of: Paban Mondal

... Petitioner

Mr. Debashis Banerjee ... for the petitioner

Mr. Saibal Bapuli

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi ... for the State

Learned counsel for the petitioner submits for enlarging the accused on bail as he is in incarceration in jail for last 177 days and he is the only Driver of the vehicle and no way he is connected with the trafficking of the contraband articles.

In rebuttal learned counsel for the State invites our attention to the seizure memo placed at page 4 which reveals that 110 bottles of phensidyl with two kgs of cannabis and cattle were recovered and possessed from the possession of the petitioner who was driving the same by his own vehicle as he is admittedly owner and driver of the offending vehicle. A charge sheet has been submitted on 24.05.2021.

Having regard to the seizure of commercial quantity of contraband articles from the possession of the petitioner and considering the bar under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, prayer for bail is rejected.

CRM 2170 of 2021 is disposed of.

(Aniruddha Roy, J.)

(Shivakant Prasad , J.)