

28.07.2021

Court No.28
Item No.12
(REJECTED)

Ab/Saswata

CRM 2395 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 03.03.2021 in connection with Bongaon Police Station Case No. 670 of 2020 dated 12.11.2020 under Section 21(c) of the NDPS Act;

And

In the matter of : **Nasiruddin Sardar @ Nasir.**

...Petitioner.

Mr. Ashok Kumar Chowdhury.

...For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

... 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.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Bongaon Police Station Case No. 670 of 2020 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

5 litres of codeine mixture were shown to have been recovered from the possession of the petitioner. The charge-sheet has been submitted after obtaining the Chemical Examination Report.

In view of the recovery of the contraband, which was above the commercial quantity, we do not find that the petitioner has been able to make out any case for taking exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

The application for bail, being CRM 2395 of 2021, is thus **rejected.**

However, the learned Judge under NDPS Act is requested to expedite the matter.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)