

30.
12-08-2021
(ct. no.32)
debajyoti

CRM 2411 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No.211 of 2020 dated 25-06-2020 under Sections 21(c), 22(c), 27A, 27B, 29 of the Narcotic Drugs and Psychotropic Substance Act.

- A n d -

In the matter of : Sunil Kundu

.... Petitioner.

Mr. Sagar Saha

... For the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi

... For the State.

It is not in dispute that commercial quantity of contraband item was recovered from the joint possession of the petitioner and another accused person. Accordingly, the petitioner's prayer for bail cannot be entertained in view of the statutory restriction in Section 37 of the NDPS Act.

The petitioner refers to an order granting anticipatory bail to another accused person. However, no recovery had been made from that person and he stood on a completely different footing.

We are told that chemical analysis report is not available. We direct the State to expedite the obtaining of the chemical analysis report and to file the same before the trial Court at the earliest.

The application for bail being CRM 2411 of 2021 is, thus, **dismissed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)