

28.07.2021

Court No.28
Item No.16
(REJECTED)

Ab/Saswata

CRM 2595 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 10.03.2021 in connection with Gopalnagar Police Station Case No. 613 of 2020 dated 14.11.2020 under Sections 21(c)/29 of the NDPS Act;

And

In the matter of : **Anowar Mondal @ Jiarul @ Jiya.**
...Petitioner.

Mr. Ashok Kumar Chowdhury.

...For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Nirupam Dhali.

... 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 Gopalnagar Police Station Case No. 613 of 2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

10 litres of codeine mixture has allegedly been found from the exclusive possession of the petitioner. The petitioner is languishing in jail since 14th November 2020.

According to the petitioner, the charge-sheet has not been submitted, but we do not find the aforesaid statement factually correct.

Since the commercial quantity of contraband has been allegedly recovered from the exclusive possession of the petitioner, we do not find any ground warranting an exception to be taken

under Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

The application for bail, being CRM 2595 of 2021, is thus **rejected**.

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

(Harish Tandon, J)

(Bibek Chaudhuri,J.)