

30.06.2021
Item no.75.
Court No.28
AB

Bail – Rejected

(Via Video Conference)

CRM 2977 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 24.03.2021 in connection with Malda P.S. Case No.359 of 2020 dated 29.06.2020 under Sections 21/29 of the NDPS Act read with Sections 18(b)/27 of the Drugs and Cosmetics Act

And

In the matter of : Jagnu Mahanta

.....Petitioner.

Mr. Kunal Ganguly, Advocatefor the Petitioner.

Mr. Ranabir Roychoudhury, Advocate,
Mr. Mainak Gupta, Advocatefor the State.

The petitioner is taking shelter under the plea that he being a driver of the truck was unaware of the articles loaded therein. According to him, the truck was intercepted and the articles were recovered, which appears to be 10,000 pieces of phensedyl. The case has been initiated against the petitioner and he is in custody for more than a year.

Since the contraband was recovered from the petitioner jointly with the other co-accused, we do not think that the

petitioner has been able to make a case for taking exception to Section 37 of the NDPS Act.

As such, the prayer for bail is rejected.

The application being CRM 2977 of 2021 is, accordingly, dismissed.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)