

12.08.2021

42

suman

Ct. 32

CRM 3147 of 2021

(Via Video Conference)

In Re: an application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Special Case No.26 of 2020 arising out of Tapan Police Station Case No.106 of 2020 dated 12.04.2020 under Sections 188/269 /270 of the Indian Penal Code read with Sections 21(C)/22 (C) /27 (A) of the N.D.P.S. Act, 1985.

And

In the matter of: **Tushar Sarkar @ Hira**

...Petitioner

Mr. Angshuman Chakraborty

Mr. Shashanka Shekhar Saha

...for the petitioner

Mr. B. Panda

Mr. S. Bhakat

Mr. P. Saha

...for the State

The petitioner says that he was merely the driver of the car from which commercial quantity of contraband substance was seized. The registered owner of the car has been granted bail. Accordingly, he should also be enlarged on bail. He is in custody for about one year and four months.

We have seen the material in the case diary including the seizure list. The petitioner is named therein as the person from whom recovery was made. In view of involvement of commercial quantity of contraband items,

the statutory restrictions in Section 37 of the Narcotic Drugs and Psychotropic Substances Act are attracted.

Accordingly, we are unable to accede to the petitioner's prayer.

The application for bail being CRM 3147 of 2021 is, thus, dismissed.

We are told that charge has been framed and the trial has commenced.

We request the learned trial Court to expedite the trial and bring the same to its logical conclusion as early as possible in view of the fact that the petitioner has been in custody for quite some time.

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.)