

01.12.2021
Court No.32
Item No. 134
Krishnendu
Dismissed

**CRM 3314 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Tapan, Dakshin Dinajpur Police Station Case No. 179 of 2020 dated 10.06.2020 under sections 21(C)/22(C)/23(C)/27(A) of Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In re: **Sanatan Shil**

...Petitioner

Mr. Sayan De
Mr. Kaustuv Shome

... For the Petitioner

Mr. Sanjoy Bardhan
Ms. Manisha Sharma

...For the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge sheet has already been submitted and as such further detention of the petitioner, who is in custody for 531 days, is not warranted, more so when there is no possibility towards early conclusion of the trial.

Mr. Bardhan, learned advocate for the State opposes the petitioner's prayer for bail and submits that contraband substance, above commercial quantity, was recovered from the possession of the petitioner and other co-accused persons. The next date has been fixed on 21st January, 2022 and some co-accused persons are still absconding. In view thereof, the petitioner is not entitled to the relief, as prayed for.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and since contraband substance, above commercial quantity, was recovered from the possession of the petitioner and other co-accused persons, we are of the opinion that the rigours of section 37 of the N.D.P.S. Act are attracted and in view thereof, the petitioner's prayer for bail is refused at this stage.

The application for bail, being CRM No. 3314 of 2021, is dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)