

21.09.2021
Item no. 39
Court No.32.
S.De.
(Rejected)

(Via Video Conference)

CRM 3396 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2021 in connection with Raninagar Police Station Case No. 579 of 2019 dated 20.10.2019 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Akbar Ali.

.....Petitioner.

Mr. Anjan Bhattacharyya, Advocate,
Mr. Tapodip Gupta, Advocate,

.....for the Petitioner.

Mr. Sanjoy Bardhan, Advocate,
Ms. Baishakhi Chatterjee, Advocate,

.....for the State.

Commercial quantity of contraband was allegedly recovered from the petitioner.

The petitioner says that the vehicle that was recovered from the petitioner's possession has been described as a scooty by the police. However, in fact, it is a Motorcycle of which the petitioner is not the owner.

We have seen the seizure list which clearly states that the vehicle is a motorcycle and was seized from the possession of the petitioner. The contraband was hidden in the motorcycle.

In view of the above and in view of the restrictions in Section 37 of the N.D.P.S. Act, although the petitioner is in custody for about 702 days, we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, CRM 3396 of 2021 is dismissed.

However, in view of the lengthy detention of the petitioner, we request the learned Trial Court to expedite the consideration of charges and generally bring the trial to an early conclusion to the extent the business of the Court may permit.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)