

23.08.2021

CRM 3594 of 2021

court no. : 28
Item no. : PB-16
matter : 439
status : REJECTED
transcriber : nandy

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 23.04.2021 in connection with Bhagwangola Police Station Case No. 514 of 2020 dated 30.10.2020 under Sections 21(C)/29 of the Narcotic Drugs & Psychotropic Substances Act. (NDPS Case No. 243 of 2020)
and

In the matter of: **Tapan Sk. & Ors.**

.....Petitioners

Mr. Ali Ahsan Alamgir, Advocate

Ms. Riya Das, Advocate

Ms. Rabia Khatoon, Advocate

.....for the Petitioners

Mr. Sudip Ghosh, Advocate

Mr. Bitosok Banerjee, Advocate

Mr. A.K. Datta, Advocate

.....for the State

The Advocate-on-record of the petitioners 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 petitioners have filed the instant application for bail in connection with Bhagwangola Police Station Case No. 514 of 2020 dated 30.10.2020 under Sections 21(C)/29 of the Narcotic Drugs & Psychotropic Substances Act.

Indubitably commercial quantity of contraband was recovered from the exclusive possession of the petitioners. Chargesheet has already been submitted.

Since the possession raises presumption against the petitioners, we do not find any justification in taking exception to Section 37 of the NDPS Act.

As such, the prayer for bail is **rejected**.

The application being **CRM 3594 of 2021** is accordingly **dismissed**.

However, we request the learned Special Judge, NDPS Court to expedite the trial.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)