

**23.08.2021**

**CRM 4024 of 2021**

court no. : 28  
Item no. : PB-19  
matter : 439  
status : REJECTED  
transcriber : nandy

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 10.06.2021 in connection with Madhyamgram Police Station Case No. 725 of 2018 dated 27.12.2018 under Sections 21(c) of the Narcotic Drugs & Psychotropic Substances Act. (N. Case No. 04 of 2019)

and

In the matter of: **Md. Munna**

.....Petitioner

**Mr. Angshuman Chakraborty, Advocate**

.....for the Petitioner

**Mr. Binay Panda, Advocate**

**Ms. Puspita Saha, Advocate**

**Mr. Subham Panda, Advocate**

.....for the State

The petitioner has filed the instant application for bail in connection with Madhyamgram Police Station Case No. 725 of 2018 dated 27.12.2018 under Sections 21(c) of the Narcotic Drugs & Psychotropic Substances Act.

The petitioner has been apprehended in connection with the instant case upon a recovery of commercial quantity of contraband from the joint possession of the petitioner and other accused persons. It appears from the record that the case has matured considerably as one of the witnesses out of nine charge-sheeted witnesses, has been examined. The next date is fixed on September 22, 2021.

Since, commercial quantity of contraband was recovered from the joint possession of the petitioner and in view of the rigor of section 37 of the NDPS Act, the prayer for bail is **rejected**.

The application being **CRM 4024 of 2021** is accordingly **dismissed**.

However, we request the concerned NDPS Court to take up the matter on the next date so fixed i.e. September 22, 2021 and the prosecution is directed to produce the charge-sheeted witnesses as and when the schedule for recording evidence is fixed after the said date which shall not exceed four months from that date.

It goes without saying that the Counsel for defence shall not ask for any adjournment or adversary except in unforeseeable circumstances.

**(Harish Tandon, J.)**

**(Bibek Chaudhuri, J.)**