

13.08.2021

Court No.28
Item No.17
(Rejected)

CRM 4078 of 2021
(Via Video Conference)

As

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with English Bazar Police Station Case No. 1014 of 2020 dated 29.10.2020 under Sections 22(b)/29 of the N. D. P. S. Act;

And

In the matter of : **Uttam Mondal.**

...Petitioner

Mr. Subhasish Pachhal,
Mr. B. Chakraborty.

...For the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Ranadeb Sengupta.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with English Bazar Police Station Case No. 1014 of 2020 dated 29.10.2020 under Sections 22(b)/29 of the N. D. P. S. Act.

The earlier application for bail filed by the petitioner, being CRM 120 of 2021, was rejected on 12.01.2021.

This is a second application for bail at the behest of the petitioner. It appears from the record that 20 kgs. of contraband substance was recovered from the exclusive possession of the petitioner.

Though it has been submitted that the petitioner is a driver having no knowledge of the nature of the goods entrusted for transportation, but we do not find that such ground can be taken as an exception to the provision of Section 37 of the N. D. P. S. Act.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 4078 of 2021 is thus **dismissed.**

(Harish Tandon, J)

(Bibek Chaudhuri, J.)