

96. 09.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 4090 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **14/06/2021** in connection with N.D.P.S. Case No. **09/2019** arising out of **Chinsurah Police Station Case No. 125/2019** dated **13/06/2019** under Section **20(b)(ii)(c)** of the N.D.P.S. Act.

And

In the matter of: - **Akash Mohali**

....petitioner.

Mr. Sudip Ghosh Chowdhury

...for the petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,
Mr. A.K. Datta

...for the State.

The petitioner renews his prayer for bail. His prayer was rejected by a co-ordinate Bench of this Court by an order dated November 20, 2020, passed in C.R.M. 8908 of 2020.

It is not in dispute that *prima facie*, commercial quantity of contraband substance was recovered from the possession of the petitioner. The statutory restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act stares at our face. Further, there has been no significant change of circumstances since the petitioner's prayer was earlier rejected by this Court.

In view of the aforesaid, the application for bail being C.R.M. 4090 of 2021 is **dismissed**.

However, in view of the fact that the petitioner has been in custody for two years and one month, we request the learned

trial Court to expedite the trial and bring the same to its logical conclusion as soon as the business of the Court may permit.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)