

28.09.2021
Item no.19.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 4146 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with N. Case No.06 of 2021 under Section 21/C of the NDPS Act

And

In the matter of : Rana Babu Gazi

.....Petitioner.

Ms. Minoti Gomes,
Ms. Sonali Dasfor the Petitioner.

Mr. K. K. Maity,
Ms. Rajashree Kundaliafor the Union of India.

The petitioner says that he has no connection with the contraband that was seized by the Customs Authorities. He was only travelling in a scooter with his cousin Abu Sayin. The scooter belonged to Abu Sayin. Recovery was made from the scooter. He is languishing in custody for about 265 days.

We have seen the seizure list. Prima facie, it appears that commercial quantity of phensedyl was recovered from the joint possession of this petitioner and Abu Sayin. In view of the restriction in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail.

C.R.M. No.4146 of 2021 is, accordingly, dismissed.

However, since the petitioner has been in custody for sometime, and we are told that charge sheet has been submitted, we request the learned Trial Court to expedite the consideration of charge 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.)