

16.08.2021

Court No.28
Item No.26
(REJECTED)

Saswata

CRM 4160 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Baguihati Police Station Case No. 390 of 2019 dated 04.10.2019 under Section 21(C) of the NDPS Act;
And

In the matter of : **Abdul Molla**

...Petitioner.

Mr. Angshuman Chakraborty

...For the Petitioner

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Baguihati Police Station Case No. 390 of 2019 under Section 21(C) of the NDPS Act.

Though the charge sheet has been submitted by the prosecution, but without obtaining the chemical examination report. The matter has lingered on because of the apathy shown in collecting the chemical examination report.

We, therefore, direct the Investigating Officer to ensure that the chemical examination report is obtained within 15 days from date.

Since, the commercial quantity of contraband was recovered from the possession of the petitioner, we do not find any ground to take exception to Section 37 of the NDPS Act.

The application for bail is, thus, considered and ***rejected***.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)