

17.11.2021

Court No.28
Item No.36
(REJECTED)

Saswata

CRM 4764 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Amta Police Station Case No. 273 of 2019 dated 28.07.2019 under Section 20(b) of the NDPS Act;

And

In the matter of : **Saiyed Harun**

...Petitioner

Mr. Sandip Chakraborty

Mr. Kaustav Das

...For the Petitioner

Mr. Sanjay Bardhan

Ms. Baishakhi Chatterjee

... For the State

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Amta Police Station Case No. 273 of 2019 under Section 20(b) of the NDPS Act.

The contraband above commercial quantity was recovered from the joint possession of the petitioner. At the time of raid, the car was intercepted and seizure was effected in presence of the petitioner.

Since the recovery of the contraband above commercial quantity is made from the joint possession of the petitioner, the petitioner is not entitled to bail in view of the rigor of Section 37 of the NDPS Act.

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

However, we request the Learned Judge, Special Court under the NDPS Act to expedite the trial of the case.

The application for bail being CRM 4764 of 2021 is accordingly ***dismissed.***

(Harish Tandon, J)

(Rabindranath Samanta,J.)

