

34 27.09.2021
(AD)
Court No.28
(Dismissed)

C.R.M. 4867 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 22/07/2021 in connection with **Balurghat** P.S. Case No.**02 of 2021** dated **01/01/2021** under Sections **21(c)/22(c)/23(c)/25/27A/28/29** of the NDPS Act, 1985.

And

In the matter of: Gopal Mohanta alias Godai.

....petitioner.

Mr. Sohan Lal Adak
Mr. T. Mondal

...for the petitioner.

Mr. Ranadeb Sengupta

... for the State.

The commercial quantity of contraband is recovered from the exclusive possession of the petitioner and he has been apprehended in connection with the aforesaid case on 1st January, 2021. A plea has been taken by the learned Advocate appearing for the petitioner that the charge sheet has not been submitted within the statutory period provided under Section 36A of the NDPS Act. It transpires in connection with the hearing that the charge sheet has already been filed on 17.5.2021 within the statutory period and, therefore, the contention of the petitioner that he is entitled for bail is not tenable.

Since the contraband of about commercial quantity is recovered from the exclusive possession of the petitioner and in view of the above embargo created under Section 37, the prayer

for bail of the petitioner is rejected.

C.R.M. 4867 of 2021 is dismissed accordingly.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)