

01.10.2021
Serial no.481
Dd

(Through Video Conference)

CRM 4963 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Special Case No. 12 of 2020** arising out of **Balurghat** Police Station Case No. **97** of **2020** dated **29.02.2020** under **Sections 21(c)/22(c)/23(c)/ 307/25/27(A)/ 28/29** of the Narcotic Drugs Psychotropic Substances Act.

-And-

In the matter of : Pintu Mahata & Mahato

... ..Petitioner

Ms. Sujata Das, Advocate
... .. For the Petitioner

Mr. Binoy Panday,
Mr. Subham Bhakat
Ms. Puspita Saha, Advocates
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 508 days. The police submitted charge sheet. Out of two other co-accused one was granted anticipatory bail and the other was granted bail.

Learned advocate appearing for the State draws the attention of the Court to the seizure list and submits that 225 bottles of phensedyl was recovered from the possession of the petitioner.

It appears that two persons have fled away from the place of seizure. However, commercial quantity of contraband was seized from the possession of the petitioner. Therefore, the petitioner cannot be said to be on the same footing as that of the two other co-accused who were granted anticipatory bail/bail.

Considering that the commercial quantity of contraband was seized from the possession of the petitioner, we are not inclined to grant bail to the petitioner.

CRM 4963 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)