

07.12.2021
saswata
ct 28
sl no. 36

C.R.M. 5551 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Dalkhola P.S. case no. 264/2020 dated 10.11.2020 under section 21(C)/29 of the NDPS Act.

And

In Re : Goutam Roy

..... petitioner

Mr. Asim Kumar Chakraborti

..... for the petitioner

Mr. Ranadeb Sengupta

..... for the State

The petitioner is in custody for more than a year. He prays for bail.

Learned lawyer for the State opposes the prayer for bail. Statement of witness and contemporaneous document, i.e., seizure memo, prima facie disclose alleged recovery of narcotic substance above commercial quantity (400 gms of heroin) from the petitioner.

In view of the above and in the light of the statutory restrictions under section 37 of the NDPS Act and the period of detention suffered by the petitioner, we are not inclined to grant bail to the petitioner.

The prayer for bail is thus, rejected.

However, Trial Court is requested to consider framing of charge at the earliest.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)