

CRM 6072 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No.248 of 2021 dated 26-06-2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Master Entaj Sk.

.... Petitioner.

Mr. Md. Sabir Ahmed

... For the Petitioner.

Mr. Ranadeb Sengupta

... For the State.

The petitioner says that he is a juvenile. He cannot be detained in custody as per the provisions of the Juvenile Justice Act.

We have seen the order of the learned trial Court. There appears to be some confusion as to whether or not the petitioner has attained the age of 18 years.

It is the Board under the Juvenile Justice Act which is the Authority for deciding such issue.

Accordingly, we direct the Board to consider the issue of the petitioner's age and decide the same at the earliest and preferably within a month from the date of communication of this order. We have not gone into the merits of this bail application. The petitioner will be entitled to apply for interim bail before the Board and if the Board is so approached, it shall decide such application uninfluenced by anything in this order.

The application for bail being CRM 6072 of 2021 is, thus, **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)