

01.12.2021
Item no.21
Court No.32
Avijit Mitra

C.R.M. 6558 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Md. Azhar Uddin Mondal @ Kochi & anr.

.... petitioners

Mr. Abdullah Gazi

....for the petitioners

Mr. Swapan Banerjee,

Mr. Suman De

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Baduria Police Station Case No. 341 of 2021 dated 26.06.2021 under sections 21C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. Upon completion of investigation chargesheet has also been submitted. In view thereof, further detention of the petitioners, who are in custody for about three months, is not necessary.

Mr. De, learned advocate appearing for the State opposes the petitioners' prayer and submits that contraband substance above commercial quantity was recovered from the petitioners' possession.

Heard learned advocates appearing for the respective parties and considered the materials in the case diary. Since contraband substance above commercial quantity was recovered

from the possession of the petitioners, the rigors of Section 37 of the N.D.P.S. Act are attracted. Accordingly, the petitioners' prayer for bail is rejected at this stage.

The application for bail being C.R.M. 6558 of 2021 is dismissed.

The learned Trial Court is requested to take expeditious steps towards disposal of the case.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)