

06.12.2021
Court No.32
Item No. 19
Avijit Mitra

C.R.M. 6743 of 2021 (via video conferencing)

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

And

In Re : Sk. Sabir Ali @ Sabir Ali Sk. @ Sabir Ali

Petitioner

Mr. Pradip Kumar Kundu

For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Prabir Majhi

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Nakashipara P.S. Case No. 615 of 2020 dated 05.12.2020 under section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

Mr. Kundu, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He was the driver of the vehicle and he had no nexus with the alleged offence. He is in custody since 5th December, 2020 and there is also no possibility towards conclusion of the trial in the near future. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Bardhan, learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that the petitioner's prayer was last rejected on 25th March, 2021 and we do not find any change in the circumstances thereafter. In view thereof and as contraband substance above commercial quantity was recovered, the petitioner's prayer for bail is refused at this stage.

Accordingly, the application for bail, being CRM No.6743 of 2021, is dismissed.

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)