

02.11.2021
Court No.8
Item No.20
AP/ss
(Rejected)

C.R.M. 6916 of 2021
(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.805 of 2021 dated 02.08.2021 under sections 22(c)/29 of the Narcotics Drugs and Psychotropic Substances Act.

And

In the matter of : Alhanoda Sk @ Alhando Sk @ Alhamdo Sk @ Alhamda Sk

Mr. Somnath Adhikary

... ... for the petitioner

Mr. Sanjoy Bardhan

Ms. Manisha Sharma

... ... for the State

The application for bail is made on the ground that no contraband was recovered from the petitioner and that he has been in police custody for 90 days.

This Court is of the view that since the timeframe for filing of charge-sheet is 180 days in case of commercial quantity and the fact that the prosecution is of the view that the petitioner is involved in smuggling and dealing with contraband across the border, this Court is not inclined to grant bail to the petitioner.

In the above circumstances, the application for bail being CRM 6916 of 2021 stands rejected.

The prosecution is, however, directed to file charge-sheet as expeditiously as possible.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Kesang Doma Bhutia, J.)

(Rajasekhar Mantha, J.)