

03.11.2021
ns / RP
Court
No.8

C.R.M. 7013 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Basirhat P.S. Case No.1316 / 2020 dated 29.12.2020 under section 21(c) of the N.D.P.S. Act, 1985.

And

In the matter of : Loknath Chowdhury @ Sona.

...Petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha ... for Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

The application for bail is canvassed on the ground that the charge sheet was filed within two days of arrest of the petitioner.

It is submitted that the same would indicate faulty and flimsy investigation. It is, however, found that a supplementary charge sheet was also filed within six months after taking into consideration the FSL report.

This Court is of the view that once charge sheet is filed, rigours of Section 37 of the N.D.P.S. Act would automatically kick in.

The application for bail shall stand rejected at this stage. However, the aforesaid rejection shall not prevent the petitioner from in anyway seeking any remedy under the Code of Criminal Procedure, if so advised.

Accordingly, C.R.M. 7013 of 2021 is rejected.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Rajasekhar Mantha , J.)

(Kesang Doma Bhutia, J.)