

09.11.2021
Sl. No.20
akd
[Rejected]

C. R. M. 7081 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.10.2021 in connection with Gobardanga Police Station Case No. 228 of 2020 dated 12.09.2020 under Section 21(c) of the NDPS Act.

And

In Re: ***Arif Mondal @ Arif Ali Mondal***

... .. Petitioner

Mr. Kamalesh Ch. Saha

... .. for the petitioner

Mr. Binay Panda

Mr. Nirupam Dhali

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 400 days. It is further submitted that there is delay in progress of the matter before the trial court due to non-submission of report by chemical expert

Learned advocate appearing for the State opposes the prayer for bail and submits that chemical report has already been submitted before the trial court.

We have considered the materials on record. Statements of witnesses and seizure memo disclose recovery of narcotic substance above commercial quantity from the possession of the petitioner.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

We also note that chemical report has been submitted.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)

