

1 27.12.2021
ss/ap

CRM 9020 of 2021
(Through Video Conference)

In the matter of : An application for bail under Section 439 of the Code Criminal Procedure in connection with Basirhat P.S. Case No.492 of 2020 dated 21.04.2020 under Section 21(c) of the NDPS Act.

And

In the matter of : Mahammad Gazi

... .. petitioner

Mr. Kamalesh Chandra Saha

... .. for the petitioner

Mr. Swapan Banerjee

Ms. Debjani Sahu

... .. for the State

Heard the parties.

It is submitted on behalf of the petitioner that the petitioner has been in custody for more than 535 days. It is also alleged that an amount of only 1 litre of Codeine Mixture has been recovered from the petitioner.

The State is represented and opposes the prayer for bail.

We have considered the materials on record.

It appears from the order passed by the Additional Sessions Judge dated 14th December 2021 that an amount of 10 litres of Codeine Mixture had been recovered from the petitioner.

Accordingly, the statement contained in the petition that the petitioner was only in possession of 1 litre of Codeine Mixture is false, incorrect and misleading.

In any event, in view of the seriousness of the offence and the provisions of the NDPS Act, we are not inclined to grant bail.

The application for bail being CRM 9020 of 2021 is rejected.

(Ravi Krishan Kapur, J.)

(Krishna Rao, J.)