

C.R.M. 8129 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with N.D.P.S. Case no. 41 of 2020, arising out of Lalgola Police Station Case No. 127 of 2020 dated 22.02.2020 under Section 21 (c) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Tarikul Islam @ Tarik

....petitioner.

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji

...for the petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,
Mr. A. K. Datta

...for the State.

The application under Section 439 CrPC seeking bail in connection with N.D.P.S. Case no. 41 of 2020, arising out of Lalgola Police Station Case No. 127 of 2020 dated 22.02.2020 under Section 21 (c) of the Narcotic Drugs and Psychotropic Substances Act. The issue now pending consideration before the learned Judge, Special Court, N.D.P.S. Act, Berhampore, Murshidabad cum Additional District Judge, 2nd Court, Berhampore, Murshidabad.

Counsel for the petitioner Mr. Chattopadhyay would argue that the commercial quantity of any kind/variant contraband was not seized from the possession of the petitioner. It is further argued that the arrest of the petitioner was also illegal.

Counsel for the State submits that it is at the instance of the petitioner that the raid was effected which ended up in seizure of 48 bottles of phensedyl of 100 ml. each. It is further

submitted by the counsel for the State that the petitioner's antecedents are dubious. The petitioner has already been charged with offences under Section 302 IPC, in previous proceedings.

In view of the above circumstances and having heard the counsel for the parties, this Court is not inclined to entertain the application for bail.

C.R.M. 8129 of 2020 is hereby dismissed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)