

19.01.2021
Court No.28
rpan / 44

C.R.M. 10755 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Chapra P.S. Case No. 234 dated 18.08.2018 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Firjul Sk. *alias* Layeb**

...Petitioner.

Mr. Shataroop Purakayastha

....for the petitioner.

Mr. Saryati Datta

....for the State.

Mr. Purakayastha, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge sheet has also been filed. In view thereof, further detention of the petitioner, who is in custody for more than 847 days, is not necessary.

He submits that in similar facts and circumstances, bail has been granted by an order dated 19th October, 2020 passed in CRM no.8187 of 2020 placing reliance upon an order dated 7th February, 2020 passed by the Hon'ble Supreme Court in Criminal Appeal no. 245 of 2020.

Mr. Datta, learned advocate appearing for the State opposes the petitioner's prayer and submits that three criminal cases are still pending against the petitioner under the Indian Penal Code and the Arms Act. In view thereof, the order dated

19th October, 2020 passed in CRM no. 8187 of 2020 has no manner of application in the present case.

Having heard the learned advocates and considering the materials on record, the antecedents of the petitioner and as the order, upon which reliance has been placed by Mr. Purakayastha, is distinguishable on facts, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

Needless to observe, the learned trial court would take all necessary steps for conclusion of the trial as expeditiously as possible.

With the above observations, the application for bail being CRM No.10755 of 2020, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)