05.02.2021
Court No.28
rpan /28

C.R.M. 10775 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P.S. Case No. 863 of 2017 dated 15.11.2017 under Section 15(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Md. Sukuruddin @ Sukuruddin Sk**
- Petitioner.

Mr. Sagar Saha
....for the petitioner.
Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi
....for the State.

The learned advocate for the petitioner submits that the petitioner is in custody for 127 days and has been falsely implicated in the instant case because of his elder brother being wanted in another case. Additionally, the learned advocate submits that the petitioner's house is a joint family property and all the members cannot be implicated for an individual offence committed by a single member of the family.

Mr. Bardhan, learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner has been evading the process of law for a considerable period of time and has been arrested very recently. He further submits that 55 kgs. of poppy straw were seized from the residence of the petitioner and other accused persons.

Having regard to the fact that the involvement of contraband is of commercial quantity and the fact that the

petitioner has been evading the process of law for a considerable period of time, we are of the opinion that the petitioner is not entitled to be released on bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 10775 of 2020, is, thus disposed of.

(Tirthankar Ghosh, J.) **(Tapabrata Chakraborty, J.)**