

02.02.2021

Item No.14

Ct.No.28

dc.

Rejected

C.R.M. 10809 of 2020

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Subham Shaw @ Sagar**

... Petitioner.

Mr. Subrata Ghosh

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Sanjoy Bardhan

... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Special Case No. 45 of 2018 arising out of Jamuria P.S. Case No. 197 of 2018 dated 05.08.2018 under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for more than two years, is not required.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that contraband

substance was recovered from the joint possession of the petitioner and three co-accused persons and the trial is at an advanced stage.

Having heard the learned advocates and considering the materials in the case diary and the fact that contraband substance was recovered from the joint possession of the petitioner and three co-accused persons, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the application for bail, being CRM 10809 of 2020, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)