

28.01.2021
Court No.28
Item No. 38
Krishnendu
Bail Rejected

CRM 11165 of 2020
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Piyarul Sk.**

.....Petitioner

Mr. Manas Kumar Das

Mr. Asraf Mandal

....For the Petitioner

Mr. Santanu Deb Roy

.....For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Karimpur Police Station Case No. 01 of 2020 dated 04.01.2020 under section 21(C) of the Narcotic Drugs & Psychotropic Substances Act, 1985 (Case No. N- 02 of 2020).

The learned advocate appearing for the petitioner submits that there has been no recovery from the possession of the petitioner and he is implicated on the basis of the statement of the co-accused. Additionally, the learned advocate submits that the petitioner is in custody for a considerable period of time and as such he may be released on bail.

The learned advocate appearing for the State produces the case diary.

We have perused the materials in the case diary and we find that commercial quantity of contraband was seized from the house of the present petitioner and as such the provisions of section 37 of the N.D.P.S. Act are attracted and the petitioner is

not entitled to be released on bail at this stage. Accordingly, the prayer for bail is rejected.

With the aforesaid observations, the application for bail, being CRM No. 11165 of 2020, is dismissed.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)