

16.02.2022
Ct. No. 32
254
sdas

C. R. M. 8350 of 2021
(via video conferencing)

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

And

In Re: ***Sohel Sk.***

... .. Petitioner

Mr. Anisur Rahman

... .. for the petitioner

Mr. N. P. Agarwala
Mr. Saryati Datta

... .. for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Raninagar Police Station Case No. 360 of 2020 dated 28.09.2020 under sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that the contraband substance, above commercial quantity, was recovered from the possession of the petitioner and as such, the statutory restrictions are attracted. In view thereof, the petitioner's prayer for bail is refused at this stage.

Mr. Rahman, learned advocate appearing for the petitioner, submits that the petitioner is languishing in custody for 469 days and the FSL report has not yet been obtained.

Mr. Datta, learned advocate appearing for the State submits, upon instruction, that during pendency of the present application FSL

report has been obtained and the supplementary charge-sheet shall be filed soon.

In view thereof, this Court directs the learned court below to take up the issue of consideration of charges immediately after the supplementary charge-sheet is submitted, without granting unnecessary adjournment to either of the parties.

With the aforesaid observations, the application for bail being CRM 8350 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)