

11.02.2022

Court No.32
rpan /23

CRM 8958 of 2021

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

And

In Re : **Jakir Hossain @ Zakir Hosen**
- Petitioner

Mr. Somnath Adhikary
... for the Petitioner
Mr. Binay Panda,
Ms. Pushpita Saha
... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Berhampore Police Station Case No. 558 of 2020 dated 14.06.2020 under Sections 22(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 contraband substance above commercial quantity was recovered from the petitioner's house and as such, his conscious possession of contraband substance cannot be ruled out. The statutory restrictions are, accordingly, attracted. In view thereof, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is rejected at this stage.

The application for bail, being CRM 8958 of 2021, is, thus, dismissed.

However, the learned court below is requested to take expeditious steps towards conclusion of the trial.

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.)