

25.06.2024
Item no. 33.
Court No.28.
AB
(Rejected)

CRM (NDPS) 894 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar South P. S. Case No.58 of 2024 dated 3.2.2024 under Sections 21C of the NDPS Act

And

In the matter of : Sudip Mondal

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Mr. Suman De
Ms. Pinki Sarkarfor the State.

Allegedly, commercial quantity of contraband item was recovered from the possession of the petitioner, who is the sole accused.

By an earlier order dated May 30, 2024, the State was directed to take immediate steps for submission of Chemical Examination Report before the learned Trial Court.

Today, the State says that the same has been done. It is stated that after the report came, supplementary charge sheet has been filed since the samples have tested positive.

The petitioner says that he is a chronic patient. He needs urgent medical attention. On that ground he should be enlarged on bail on whatever condition the Court may decide.

Learned Advocate for the State opposes the prayer. He says that all medical facilities will be made available to the petitioner by the hospital operated by the Dum Dum Central Correctional Home.

In view of commercial quantity of contraband items being involved and keeping in mind Section 37 of the NDPS Act, we are not inclined to allow the prayer of the petitioner for bail.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 894 of 2024 is dismissed.

However, the Superintendent of Dum Dum Central Correctional Home is directed to arrange all medical facilities for the petitioner as he may require and to ensure that he receives full medical attention.

We further request the learned Trial Court to expedite the trial to the extent the business of the Court may permit.

The parties shall communicate this order to the learned Trial Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

