

23.08.2024
Item no. 26.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1271 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sagarpara P.S. Case No.281 of 2023 dated 12.9.2023 under Sections 21C/29 of the NDPS Act

And

In the matter of : Jiaul Molla

.....Petitioner.

Md. Sabbir Biswas,
Md. G. N. Imrohifor the Petitioner.

Ms. Rituparna De Ghosh,
Ms. Sonali Bharfor the State.

Dictated by Arijit Banerjee, J.

1. In view of seizure of commercial quantity of contraband items from this petitioner, keeping in mind the restriction in Section 37 of the NDPS Act, we are not inclined entertain the petitioner's prayer for bail.
2. The prayer for bail is, accordingly, rejected.
3. CRM (NDPS) 1271 of 2024 is dismissed.
4. The petitioner says that incomplete charge sheet has been filed. The chemical report has not been filed with the charge sheet. No prayer has been made by the Public Prosecutor for extension of time to file supplementary charge sheet. Therefore, the prosecution is bound to fail.

5. We are told that the next date for consideration of charge is September 20, 2024. The petitioner will be at liberty to urge this point before the learned Trial Court at the time of consideration of charge.
6. 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.)