

19.08.19

Sl. No.5

akd

Ct. No.1

[Rejected]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 608 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.07.2019 in connection with NCB Crime No. 37 of 2018 arising out of C.R. (NDPS) Case No.28 of 2018 dated 02.08.2018 under Sections 20(b)(ii)(c)/24/28/29/8(c)/12 of the NDPS Act.

And

In Re: **Luka Sherpa**

... .. Petitioner

Mr. Kumar Shantanu .. Advocate

... .. for the petitioner

Mr. Rajdeep Biswas .. Advocate

... .. for the UOI

The petitioner is seeking bail in connection with a case relating to offences punishable under Sections 20(b)(ii)(c)/24/28/29/8(c)/12 of the NDPS Act.

Having considered the materials on record disclosing prima facie involvement of the petitioner in the alleged possession of narcotic substance above commercial quantity i.e. 3.2 kgs. of *charas* and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

However, in view of the protracted period of detention suffered by the petitioner, we direct the trial court to take necessary steps to conduct the trial on a day to day basis and conclude the same as early as possible preferably within a year from date without granting unnecessary adjournment to either of the parties.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)

