

28.08.19

Sl. No.1

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Ct. No.1

[Rejected]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 696 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.08.2019 in connection with Boxirhat Police Station Case No. 114 of 2018 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No. 54 of 2018)

And

In Re: **Anwar Hossain & Anr.**

... .. Petitioners

Mr. Hillol Saha Podder .. Advocate

... .. for the petitioners

Mr. Aditi Shankar Chakraborty .. Ld. Addl. Public Prosecutor

Mr. Sagnik Sankar Sikdar .. Advocate

... .. for the State

The petitioners are seeking bail in connection with a case relating to offences punishable under Section 20(b)(ii)(c) of the NDPS Act.

Pursuant to our earlier direction, Investigating Officer is personally present before this court. His presence is noted and dispensed with.

Having considered the materials on record disclosing prima facie involvement of the petitioners in the alleged joint possession of narcotic substance i.e. 60.94 kgs. of *Ganja*, which is above commercial quantity and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioners.

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

However, in view of the protracted period of detention suffered by the petitioners i.e. 420 days, we direct the trial court to take necessary steps to conduct the trial on a day to day basis and conclude the same at an early date preferably within one year from the next date fixed before the said court for recording evidence without granting unnecessary adjournment to either of the parties.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)