

27.08.19

Sl. No.9

akd

Ct. No.1

[Rejected]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 722 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.08.2019 in connection with Jaigaon Police Station Case No.317 of 2016 dated 29.11.2016 under Section 20(B)(ii)(c) of the NDPS Act. (NDPS Case No.44 of 2016)

And

In Re: ***Rahul Hossain @ Raul Hossen***

... .. Petitioner

Mr. Sudip Guha .. Advocate

... .. for the petitioner

Mr. A. K. Sarkar .. Advocate

Mr. A. Sarkar .. Advocate

... .. for the State

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

Having considered the materials on record disclosing prima facie involvement of the petitioner and co-accused person in the alleged joint possession of narcotic substance i.e. 20.9 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 petitioner.

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

However, in view of the protracted period of detention suffered by the petitioner i.e. more than two years, we direct the trial court to conclude the trial at an early date preferably within one year from the

next date fixed before the said court without granting unnecessary adjournment to either of the parties.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)