

29.08.19

Sl. No.15

akd

Ct. No.1

[Rejected]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 819 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.08.2019 in connection with Alipurduar Police Station Case No. 144 of 2018 dated 13.04.2019 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No. 13 of 2018)

And

In Re: ***Mominul Mia @ Mominur***

... .. Petitioner

Mr. Kalipada Das .. Advocate

... .. for the petitioner

Mr. Nilay Chakraborty .. Sr. Govt. Advocate

Mr. Sanjiv Das .. 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. 21.4 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, we direct the trial court to consider the issue of framing of charge at the earliest and in the event charge is framed to take the

proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)