

23.12.2020

35
Sdas
rejected

C.R.M. 5659 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Falta Police Station Case No. 150 of 2019 dated 02.08.2019 under Sections 20(b)(ii)(C) of the N.D.P.S. Act.

And

In Re : Sachindar Singh petitioner

Mr. Ayan Bhattacharya
Mr. Anand Keshari
Mr. Sekhar Mukherjee
....for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
..... for the State

Learned Counsel appearing for the petitioner submits that he has been harassed by false implication in a series of cases. Learned Counsel relies on an order passed by a learned Single Judge of this Court in 2005.

Learned Counsel appearing for the State submits that petitioner was involved in dealing in narcotic substance above commercial quantity.

Statements of the witnesses and contemporaneous seizure memo show recovery of narcotic substance from the possession of the petitioner which is above commercial quantity. Improbability of their version may only be assessed at the time of trial.

Under such circumstances and in the light of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and to conclude the same as expeditiously as possible without granting any adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)