

17.12.2020
Sl. No.45
akd
[Rejected]

C. R. M. 9819 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.11.2020 in connection with Balurghat Police Station Case No. 455 of 2019 dated 08.09.2019 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act.

And

In Re: **Sagar Mahanta @ Sagar Mohanta & Anr.**
... .. Petitioners

Mr. P. Ghosh .. Advocate
Mr. Sagar Saha .. Advocate
... .. for the petitioners

Mr. Sanjay Bardhan .. Advocate
Ms. Manisha Sharma .. Advocate
... .. for the State

Mr. Uttam Basak .. Advocate
... .. for the UOI

Statements of witnesses disclose recovery of narcotic substance above commercial quantity i.e. 35 bottles of *phensedyl syrup* from the joint possession of the petitioners. In view of the aforesaid fact and 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**.

Trial court however, is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording of evidence without granting unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

