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CRM 10126 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishabnagar P.S. Case No.863 of 2017 dated 15.11.2017 under Sections 15(c) of the NDPS Act.

And

In the matter of: Fakirul Islam & Anr.

....Petitioners.

Mr. A.K. Jha

...for the Petitioners.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

Petitioners are in custody for 600 days. There is no progress in trial due to non-submission of chemical examiner's report.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and in view of the prima facie involvement of the petitioners in the alleged possession of narcotic substance above commercial quantity and in the light of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

Chemical examiner's report be submitted before the learned trial court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)