

10.12.2020
Sl. No.27
akd
[Rejected]

C. R. M. 10167 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narkeldanga Police Station Case No. 309 of 2019 dated 16.09.2019 under Sections 21(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.75 of 2019)

And

In Re: ***Shantipada Pal***

... .. Petitioner

Mr. Mohammad Khairul .. Advocate

... .. for the petitioner

Mr. Neguive Ahmed .. Ld. Addl. Public Prosecutor

Mr. Anwar Hossain .. Advocate

Ms. Amita Gaur .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for over 400 days.

Learned Additional Public Prosecutor opposes the prayer for bail.

Statements of witnesses disclose recovery of narcotic substance above commercial quantity i.e. 414 gms. of *Heroin* from the petitioner. Under such circumstances and bearing in mind 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**.

Trial court is directed to consider the issue of framing of charge at the earliest and in the event charge is framed to conclude the trial at an early date.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

