

17.12.2020

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Sdas
rejected

C.R.M. 10507 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar Police Station Case No. 777 of 2019 dated 23.09.2019 under Sections 21(C)/29 of the NDPS Act.

And

In Re : Jakir Sarowar Golder @ Bablu petitioner

Mr. Ayan Bhattacharyya
Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. Riya Das

....for the petitioner

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi
..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 450 days. There was a delay in seizure of the narcotic substance.

Statements of the witnesses prima facie disclose recovery of narcotic substance i.e. 5.5 liters of Codeine Mixture which is above commercial quantity. Time taken for the purpose of recovery of the narcotic substance and drawing up of the seizure list may be explained in the course of trial.

However, in the light of overwhelming evidence on record and in view of 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 take necessary steps to consider the issue of framing of charge at the earliest and in the event such charge is framed to conclude the trial as expeditiously as possible preferably within one year from the next date fixed before it and upon the charge being framed to proceed with the trial with utmost expedition without granting any unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)