

22.12.2020
Sl. No.56
akd
[Rejected]

C. R. M. 10612 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.12.2020 in connection with Bagdah Police Station Case No. 700 of 2018 dated 01.11.2018 under Section 21(c) of the NDPS Act.

And

In Re: ***Sukanta Bala***

... .. Petitioner

Mr. Angshuman Chakraborty .. Advocate

... .. for the petitioner

Mr. Sanjay Bardhan .. Advocate

Mr. Palash Chandra Majhi .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he had been arrested in connection with another case. Subsequently, he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous seizure list show recovery of narcotic substance above commercial quantity i.e. 5.5 ltrs. of *codeine mixture* from the residence of the petitioner. Seizure is witnessed by independent persons. Under such circumstances and in the light of 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 however, is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

