

CRM No.294 of 2021

21.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Swarupnagar Police Station Case
Sl.11 No.957 of 2019 dated 07.11.2019 under Sections 21C of Narcotic
Ct.28 Drugs and Psychotropic Substances Act;

And

In re: Mahadeb Mondal

... petitioner.

Mr. Shashanka Shekhar Saha

... for the petitioner.

Mr. P.K. Datta

Mr. P. Ganguly

...for the State.

The learned advocate appearing for the petitioner submits that about 5.5 liters of codeine phosphate mixture were seized from the possession of the petitioner and the petitioner is in custody for about one year three months. Additionally, the learned advocate submits that the supplementary charge-sheet had already been filed and next date is fixed on 8th February, 2021 for submission of chemical examination report.

Learned advocate appearing for the State opposes the prayer for bail, as seizure has been effected from the possession of the petitioner.

We have perused the materials on record including the seizure list and we find that the petitioner has not been able to overcome the rigour of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioner is rejected.

However, as has been submitted by the learned advocate appearing for the petitioner that next date is fixed on 8th February, 2021 for submission of chemical examination report. The learned Trial Court is directed that immediately after supply of copies date should be fixed for consideration of charge and all efforts must be taken by the learned Trial Court for concluding the trial within a reasonable time.

With the above observations and discussions, CRM No.294 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)