

22.02.21 In re: An application for bail under Section 439 of the Code of Criminal  
(S.R.) Procedure filed in connection with **Haringhata** Police Station Case  
Sl.51 **No.271 of 2019** dated **31.07.2019** under Sections **18(b)/18(c)** of the  
Ct.28 NDPS Act;

And

**In re: Md. Mahmood Alam**

**... petitioner.**

Mr. Santanu Deb Roy

... for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

The learned advocate for the petitioner submits that the petitioner is in custody since 31<sup>st</sup> July, 2019 and in the trial of the present case, 3 witnesses have already been examined which include the independent witnesses. According to the learned advocate, rest of the witnesses who are required to be examined are either police witnesses or witnesses belonging to different government departments.

The learned advocate for the State opposes the petitioner's prayer for bail and submits that commercial quantity of contraband was seized from the possession of the petitioner. As such, he may not be released on bail.

We have considered the materials on record and as commercial quantity of contraband is involved, the provisions of Section 37 of the NDPS Act are attracted and the petitioner is not entitled to be released on bail. As such, the prayer for bail of the petitioner is rejected.

However, the learned Trial Court is directed to expedite the progress of the trial as only 7 witnesses are left to be examined and all the witnesses belong to the government department (except one).

Accordingly, the application for bail being CRM No.527 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**