

03.03.21 In re: An application for bail under Section 439 of the Code of Criminal  
(S.R.) Procedure filed in connection with **Bagdah** Police Station Case **No.144**  
Sl.25 **of 2020** dated **06.03.2020** under Sections 21(c) of NDPS Act, 1985  
Ct.28 corresponding case **No.N-70 of 2020**;

And

**In re: Monojit Ghosh @ Mono**

**... petitioner.**

Mr. Subhajyoti Chandra

... for the petitioner.

Mr. Tapandeb Nandy

Mr. Antarikhya Basu

...for the State.

The learned advocate for the petitioner submits that the petitioner is in custody for over a year. There has been no progress in the case in spite of the fact that the petitioner is languishing in custody. Learned advocate further submits that on any stringent condition, the petitioner may be released on bail.

The learned advocate for the State opposes the petitioner's prayer for bail and submits that 2.5 litres codeine mixture were recovered from the possession of the petitioner and on completion of investigation charge sheet has been submitted.

We have considered the materials on record and having regard to the fact that the subject matter of the case involves commercial quantity of contraband for which Section 37 of the NDPS Act is attracted, 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 pass necessary orders so that the chemical examiner's report is submitted within a reasonable period of time for facilitating the court to reach the stage of consideration of charge.

With the aforesaid observations and discussions, the application for bail being CRM No.653 of 2021, is, thus, 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.)**

