

03.03.2021
Court No.28
rpan /27

C.R.M. 716 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Nabadwip P.S. Case No. 121 of 2019 dated 01.04.2019 under Sections 20(b)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Sasti Ghosh**

- Petitioner.

Mr. Kallol Mondal,
Ms. Amrita Chel,
Mr. Souvik Das

....for the petitioner.

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya

....for the State.

Mr. Mondal, learned advocate for the petitioner submits that the petitioner is in custody for one year and eleven months and till date trial has not commenced.

Mr. Bapuli, learned advocate appearing for the State submits that there has been seizure of 258.30 kgs. of contraband ganja recovered from the joint possession of the petitioner and another.

Having regard to the fact that commercial quantity of contraband was seized from the joint possession of the petitioner and another person, we are of the opinion that Section 37 of the NDPS Act is attracted. As such, the petitioner is not entitled to be released on bail. Thus, the prayer for bail of the petitioner is rejected.

However, having regard to the fact that the prosecution has submitted the supplementary charge sheet, the learned trial court

would take steps for overcoming the stage of consideration of charge and, thereafter, fix regular schedule so that the trial of the case can be concluded within a reasonable period of time.

With the aforesaid observations, the application for bail, being CRM No. 716 of 2021, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)