

27.04.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Baguiati Police Station Case No.04
Sl.129 of 2019 dated 01.01.2019 under Sections 21(c)/29 of the Narcotic
Ct.28 Drugs and Psychotropic Substances Act, 1985;

And

In re: Ezazul Islam

... petitioner.

Mr. Angshuman Chakraborty

... for the petitioner.

Mr. N. Ahamed, APP

Mr. Dipankar Paramanick

...for the State.

The learned advocate for the petitioner submits that the petitioner is in custody since 1st January, 2019 and till date the charge has not been framed. Additionally, the learned advocate submits that there are nine witnesses to be examined in course of the trial and as there is no scope for trial being completed in near future, the petitioner may be released on bail on any condition.

The learned advocate for the State draws the attention of this Court to the seizure list which reflects that 12 litres of Codeine mixture were recovered from the possession of the petitioner along with others.

We have perused the materials in the case diary and having regard to the fact that commercial quantity of contraband was recovered from the petitioner along with others, 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. However, having regard to the anxiety of the petitioner that charge is yet to be framed and next date is fixed on 10th June, 2021.

We direct the learned trial court to overcome the stage of consideration of charge on the next date so fixed or within a week thereafter and take steps for concluding the trial as expeditiously as

possible

With the aforesaid observations, the application for bail being CRM No.1822 of 2021 is dismissed.

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.)