

27.04.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Bidhannagar East Police Station
Sl.130 Case No.61 of 2020 dated 26.08.2020 under Section 21(c) of the
Ct.28 Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In re: Arbind Prasad

... petitioner.

Mr. Angshuman Chakraborty

... for the petitioner.

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharya

...for the State.

The learned advocate for the petitioner submits that the petitioner is in custody since 26th August, 2020 and till date the charge has not been framed. Additionally, the learned advocate submits that there are eleven 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 3 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 18th May, 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.1823 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.)