

16.11.2021

CRM 2219 of 2021

Court No.28
Item No.22
(REJECTED)

Ab

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.02.2021 in connection with Malda Police Station case No. 300 of 2020 dated 03.06.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act (Special Case No. 40 of 2020);

And

In the matter of : **Farukh Sk. @ Faruk and another.**

...Petitioners.

**Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick.**

...For the Petitioners.

**Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta.**

... For the State.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Malda Police Station case No. 300 of 2020 dated 03.06.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

The contraband i.e. 300 grams of Brown Sugar above the commercial quantity was recovered from the joint possession of the petitioners. The petitioners are languishing in jail since 4th June 2020. After completion of investigation, the charge-sheet has already been submitted and we are informed that charges have also been framed.

Since the contraband above the commercial quantity was recovered from the joint possession of the petitioners, we do not find any element having disclosed to take exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

The application for bail being CRM 2119 of 2021 is, thus,

rejected.

However, we request the learned Judge, Special Court under Narcotic Drugs and Psychotropic Substances Act, to expedite the trial of the case and efforts shall be shown to bring the case to its logical conclusion within a year from the date of communication of this order.

(Harish Tandon, J)

(Rabindranath Samanta,J.)