

30.07.2021

Court No.28
Item No.16
(REJECTED)

Ab

CRM 2567 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 09.03.2021 in connection with Murshidabad Police Station Case No. 182 of 2020 dated 06.06.2020 under Section 21(c) of the NDPS Act;

And

In the matter of : **Naidul Islam.**

...Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. G. N. Imrohi.

...For the Petitioner

Mr. Binay Panda,
Ms. Puspita Saha,

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 182 of 2020 dated 06.06.2020 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

The commercial quantity of contraband was recovered from the exclusive possession of the petitioner and, therefore, we do not find any ground to take exception to the rigour of Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

However, a plea has been taken that though the charge-sheet was submitted but no Chemical Examination Report was obtained and for such reason the matter is getting delayed.

Learned Advocate for the State apprises us that the Chemical Examination Report was obtained and supplementary charge-sheet has already been submitted before the Special Court.

In view of the above, we request the learned Judge, Special Court under NDPS Act to frame charges, if not already framed, and thereafter endeavour shall be shown to expedite the trial of the case.

The application for bail, being CRM 2567 of 2021, is thus **rejected.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)