

CRM 2615 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Mathabari Police Station** Case No. **157 of 2020** dated **16.04.2020** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Sayed Ali Khan

.... Petitioner.

Mr. A. Karmakar,
Mr. A. K. Bhowmick,

... For the Petitioner.

Mr. S. Bardhan,
Mr. P. C. Majhi,

... For the State.

The petitioner is one of several accused persons. The petitioner says that there was no recovery of contraband item from him. He is in custody from April 22, 2020. The chemical analysis report has not yet been produced by the state before the Learned Trial Court. The Learned Trial Court has granted bail to three accused persons on the ground of default of the State to produce the chemical analysis report despite being given several opportunities. The petitioner prays for bail.

We have seen the material in the case diary including the seizure list. Commercial quantity of contraband item was recovered from the joint possession of four persons including the petitioner. In view of the restrictions in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 we are not inclined to entertain the petitioner's prayer for bail.

We, however, direct the State to ensure that the chemical analysis report is placed before the learned Trial Court within a

fortnight from date. We also, in view of the lengthy detention of the petitioner, request the learned Trial Court to expedite the entire proceeding to the extent possible and bring the same to an early conclusion as soon as the business of the court may permit and preferably within a period of 15 months from date.

Accordingly, the application for bail being CRM 2615 of 2021 is dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)