

08.11.2021
tkm/ct 28
sl no. 25

C.R.M. 2720 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baduria P.S case no. 551/2020 dated 28.9.2020 under sections 21(c)/29 of the NDPS Act
And

In Re : Chattarul Islam Molla petitioner

Mr. S Lahiri
Mr. S Azam

..... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

We have considered the materials on record. Statements of witnesses as well as seizure memo disclose recovery of narcotic substance i.e. 10.5 ltrs of codeine mixture which is above commercial quantity from the petitioner.

Under such circumstance and in view of the statutory restriction under section 37 of the NDPS, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, in view of the protracted period of detention already suffered by the petitioner i.e. over one year, we direct the trial court to consider framing of charge within three months from the next date fixed before it and in the event charge is framed, to conclude the trial at an early date without granting unnecessary adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)