

08.11.2021
saswata/pk
ct 28
sl no. 58

C.R.M. 3276 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 25.03.2021 in connection with Chapra P.S. case no. 215 of 2019 dated 05.08.2019 under section 21(C) of the NDPS Act,
And

In Re : Rakibul Sardar

..... petitioner

Mr. Prabir Majumder

..... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

..... for the State

It is submitted by the learned counsel for the petitioner that the petitioner is in custody for 724 days and he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

Having considered the statements of the witnesses as well as the seizure memo disclosing recovery of 653 bottles of Phensedyl containing codeine mixture, which is above commercial quantity and in the light of the statutory restrictions under section 37 of the NDPS Act, 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 suffered by the petitioner, trial court is directed to expedite the trial and conclude the same at an early date preferably within one year without granting adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)