

09.12.2021.
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as
(Rejected)

C.R.M. 3465 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.12 of 2019 arising out of Mothabari P.S. Case No.286 of 2019 dated 20.07.2019 under Sections 21 (c)/29 of the N. D. P. S. Act.

In the matter of : Jaman Biswas @ Kamrujjaman Chowdhury.
...Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Ms. Sreyashee Biswas,
Ms. Benajir Hasan.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baisakhi Chatterjee.

...for the State.

Heard the learned Advocates appearing for the petitioner and the State.

Petitioner renews his prayer for bail. He is in custody for about 543 days.

Learned Advocate appearing for the State opposes the prayer for bail and submits he is the registered owner of the vehicle which was utilised for transportation of narcotic substance. Date for recording evidence has been fixed.

We have considered the materials on record. Petitioner was the registered owner of the vehicle which was used for transportation of narcotic substance. Prayer for bail was rejected earlier on merits.

In view of the aforesaid facts and in the light of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

However, trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)