

22.09.2021

Court No.28  
Item No.12  
(REJECTED)

Saswata

**CRM 4036 of 2021**  
**(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Basirhat Police Station Case No. 305 of 2018 dated 26.06.2018 under Section 21(c) of the NDPS Act;

And

In the matter of : **Monirul Sardar @ Moni**  
**...Petitioner.**

**Ms. Sonali Das**

**...For the Petitioner**

**Mr. Saryati Dutta**

**... For the State**

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 305 of 2018 under Section 21(c) of the NDPS Act.

The petitioner is in custody for three years and two months in connection with the aforementioned case. The petitioner was apprehended having possessed the commercial quantity of contraband and in view of the embargo under Section 37 of the NDPS Act, the prayer for bail was rejected by this Court on 7<sup>th</sup> February 2020 passed in CRM 1314 of 2020.

We do not find any changed circumstances in between the period from the date of the rejection of the earlier application and the instant application, except that there has been a slow progress in the case.

The prayer for bail is thus considered and rejected.

However, we request the Learned Special Judge under the NDPS Act to fix a schedule for recording evidence of the charge sheeted witness within one month from the date communication of this order and effort will be made to dispose of the case as

expeditiously as possible.

The application for bail being CRM 4036 of 2021 is accordingly  
***dismissed.***

**(Harish Tandon, J)**

**(Bibek Chaudhuri,J.)**