

27.09.2021

CRM 4158 of 2021

Court No.28
Item No.12
(REJECTED)

Ab

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 15.06.2021 in connection with Habra Police Station Case No. 292 of 2020 dated 26.06.2020 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : **Avijit Sadhu alias Buro.**

...Petitioner.

Mr. Angshuman Chakraborty.

...For the Petitioners

Mr. Saryati Dutta.

... For the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Habra Police Station Case No. 292 of 2020 dated 26.06.2020 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

Indubitably, the commercial quantity of contraband was recovered from the exclusive possession of the petitioner and he is apprehended in connection with the aforementioned case.

It transpires in course of hearing that although the charge-sheet has been submitted but charges have not been framed as yet. The next date is fixed on 7th October 2021 for consideration of charges.

Since we do not find any grounds to take exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act, the prayer for bail of the petitioner is **rejected**.

However, we request the learned Judge, Special Court under NDPS Act to frame the charges on the date so fixed and endeavour shall be shown to expedite the trial of the case and bring the case to its logical conclusion as expeditiously as possible and preferably within eight months from the date of communication of this order.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)