

CRM 4252 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **AJC Bose B. Garden Police Station** Case No. **76 of 2016** dated **20.07.2016** under Section **20(b)(ii)(c)** of the NDPS Act.

- A n d -

In the matter of : Bapon Bera

.... Petitioner.

Mr. D. Brahma,

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Rudradipta Nandi,

... For the State.

Commercial quantity of contraband item was recovered from the possession of the petitioner. In view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to entertain the petitioner's prayer for bail.

The petitioner says that he is in custody for more than 5 years. He is suffering from various critical ailments. His case should be considered sympathetically. The State says that witness action is in progress.

The prayer for bail is rejected.

However, in view of the protracted detention of the petitioner, we request the learned Court below to expedite the trial and bring the same to its logical conclusion as soon as the business of the court may permit and preferably within a period of one year from date.

We further direct the Superintendent of the Correctional Home where the petitioner is lodged to extend all

necessary medical assistance to the petitioner as and when required.

CRM No. 4252 of 2021 is accordingly dismissed.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)