

08.12.2021
Sl. No.22
akd
[Rejected]

C. R. M. 4970 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.07.2021 in connection with Dadpur Police Station Case No. 195 of 2019 dated 05.12.2019 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.50 of 2019)

And

In Re: **Azharuddin Biswas @ Azaruddin Biswas**
... .. Petitioner

Mr. Prasenjit Debnath
... .. for the petitioner

Mr. Santanu Chatterjee
... .. for the State

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 8 ltrs. of *codeine mixture*, which is above commercial quantity from the joint possession of the petitioner and other co-accused persons.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

Trial court however, is directed to consider the issue of framing of charge at the earliest and in the event, charge is framed to take the proceeding to its logical conclusion without delay.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

