

06.12.2021.
16.
as
(Rejected)

C.R.M. 5149 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N. Case No.147 of 2019 arising out of Swarupnagar P.S. Case No.787 of 2019 dated 26.09.2019 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Rintu Mallik & Ors.

... Petitioners.

Mr. Prantick Ghosh.

...for the Petitioners.

Mr. Tapandeb Nandy,
Mr. Antarikhya Basu.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for more than two years. He prays for bail.

The learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statement of witnesses prima facie discloses involvement of the petitioner for alleged possession of narcotic substance above commercial quantity i.e. 7.5 ltrs. of codeine mixture.

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 petitioners.

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

However, in view of the protracted period of detention suffered by the petitioner, we request the trial court to consider the framing of charge within two months from the next date fixed without granting unnecessary adjournment and in the event, the charge is framed to take the proceeding to its logical conclusion at the earliest.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)