

07.12.2021
Sl. No.52
Aloke
[Rejected]

C. R. M. 5661 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2021 in connection with Nakashipara Police Station Case No. 615 dated 05.12.2020 under Sections 21(C) of the NDPS Act.

And

In Re: **Shyam Sundar Ghosh**

... .. Petitioner

Mr. Ranadeb Sengupta
Mr. Prasun Mukherjee

... .. for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

... .. for the State

Having considered the materials on record including the statement of witnesses and the seizure memo, we note that 265 grms. of heroin was recovered from co-accused who was in the vehicle owned and driven by the petitioner. Hence, there are materials to establish prima facie complicity of the petitioner in the crime 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 expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)