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(AD) 08.12.2021

Court No.28

(Rejected)

C.R.M. 6052 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.09.2021 in connection with **Chakdaha** P.S. Case No.**248 of 2020** dated **30/08/2020** under Sections **20(b)(ii)(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, corresponding to N.D.P.S. Case No.59/2020.

And

In the matter of: Ramesh jadav @ Roy

....petitioner.

Mr. Prabir Majumder

...for the petitioner.

Mr. S.S. Imam

Mr. S. Kundu

... for the State.

It is contended on behalf of the petitioner that no narcotic was recovered from the possession of the petitioner. He is in custody for one year and four months.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioner is the Power of Attorney holder in respect of the vehicle which was used to transport narcotic above commercial quantity.

We have considered the materials on record. Statement of the owner of the vehicle as well as the Power of Attorney seized in course of investigation show that the petitioner had control and custody of the vehicle bearing No.WB11D 2768 at the time when it was used to commit the crime.

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

Accordingly, the prayer for bail of the petitioner is

rejected.

Trial Court is directed to expedite the trial and conclude the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

C.R.M. 6052 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)