

10.12.2021
saswata
ct 28
sl no. 94

C.R.M. 6752 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Gaighata P.S. case no. 1233/2017 dated 28.12.2017 under section 21(c) of the NDPS Act.

And

In Re : Bidhan Majumdar @ Baidya @ Bidhan Majumder
..... petitioner

Mr. Kajal Mukherjee
Mr. Surajit Basu
Mr. Bikash Chakraborty
..... for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi
..... for the State

Petitioner is in custody for 4 years.

Learned lawyer for the State opposes the prayer for bail.

Statements of witnesses including contemporaneous document, namely, seizure memo show recovery of narcotic substance above commercial quantity, i.e., 5 litres of codeine mixture from the possession of the petitioner.

Having considered the materials on record 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 is rejected.

However, in view of the protracted period of detention suffered by the petitioner, we request the Trial Court to expedite the trial of the case and conclude the same at an early date, preferably within 6 months from the next date fixed before the Trial

Court for recording evidence without granting unnecessary adjournments to either of the parties.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)