

01.11.2021
Serial no.17
Dd/Srimanta

(Through Video Conference)

CRM 6893 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **N 93/20** arising out of Bongaon Police Station Case No **264** dated **20.05.2020** under **Sections 21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Hasan Mondal & Anr.
...Petitioners

Mr. Angshuman Chakraborty, Advocate
... ... For the Petitioners

Ms. Sukanya Bhattacharyya,
Ms. Sreeparna Das, Advocate
... ...For the State

Although the petitioners have sought for granting him on bail in connection with Bongaon Police Station Case No. 264 dated 20.05.2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the learned Advocate for the petitioners submits for an appropriate order directing the learned Special Court to take up the trial as expeditiously as possible. It is submitted that the petitioners are in custody for last one year and six months since 20th May, 2020.

Having regard to the quantity of contraband substance seized being commercial in nature, we decline to entertain the application for release of the petitioners on bail being barred under Section 37 of the N.D.P.S. Act. However, we request the learned Special Judge under N.D.P.S. Act to take up the trial as expeditiously as possible taking into the consideration the guidelines embodied by the Hon'ble Supreme Court in *Thana Singh Vs. Central Bureau of Narcotics case (2013) 2 SCC 603*.

Accordingly, CRM 6893 of 2021 is rejected and disposed of.

(Ananda Kumar Mukherjee, J.)

(Shivakant Prasad, J.)