

01.11.2021
Serial no. 19
Dd/Srimanta

(Through Video Conference)

CRM 6897 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **N 121/2019** arising out of Gobardanga Police Station Case No. **140/19** dated **20.08.2019** under **Section 21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Mukul Sarkar

... ..Petitioner

Mr. Angshuman Chakraborty, Advocate

... .. For the Petitioner

Mr. Sanjoy Bardhan,

Mr. Pratick Bose, Advocates

... ..For the State

The petitioner is seeking bail in connection with the offence under Section 21(C) of the N.D.P.S. Act arising out of Gobardanga Police Station Case No. 140/19 dated 20.08.2019.

It is pointed out that the petitioner is in custody for two years and two months but not a single witness has been examined.

Having heard the learned advocates for the petitioner and the State and considering that commercial quantity of narcotics has been allegedly seized from the possession of the petitioner, the prayer for bail is rejected 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 6897 of 2021 is rejected and disposed of.

(Ananda Kumar Mukherjee, J.)

(Shivakant Prasad, J.)