

08.11.2021
tkm/ct 28
sl no. 120

C.R.M. 7049 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Swarupnagar P.S case no. 341/2020 dated 12.7.2020 under section 21(c) of the NDPS Act

And

In Re : Tarikul Biswas @ Munna petitioner

Mr. D Kar

Mr. S Chowdhury

..... for the petitioner

Mr. S Bardhan

Mr. P C Majhi

..... for the State

Petitioner is in custody for 480 days. It is submitted that there is slow progress in the matter in spite of direction given by this court in CRR 460 of 2021.

Learned lawyer for the State opposes the prayer for bail. Statements of witnesses including seizure memo show recovery of narcotic substance i.e. 5.5 ltrs of codeine mixture which is above commercial quantity from the petitioner.

Under such circumstance and in view of the statutory restriction under section 37 of the NDPS, 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 already suffered by the petitioner and the direction given by this court in CRR no. 460 of 2021, we direct the trial court to conclude the trial at an early date preferably within six months from the next date fixed before it without granting unnecessary adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)