

09.11.2021
saswata/pk
ct 28
sl no. 32

C.R.M. 7097 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 26.10.2021 in connection with Baduria P.S. case no. 619 of 2019 dated 30.12.2019 under section 21(c) of the NDPS Act

And

In Re : Golam Mondal

..... petitioner

Mr. Kamalesh Chandra Saha

..... for the petitioner

Mr. Sanjay Bardhan

Ms. Manisha Sharma

..... for the State

The petitioner is in custody for 600 days. It is submitted by the petitioner that there is no progress in the trial of the case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. There are prima facie evidence, connecting the petitioner with the alleged possession of narcotic substance above commercial quantity and his prayer for bail was rejected earlier.

Under such circumstances and in the light 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, trial court is directed to expedite the trial and conclude the same at an early date preferably within 1 year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)