

09.11.2021
saswata/pk
ct 28
sl no. 39

C.R.M. 7114 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 Madhyamgram P.S. case no. 700 of 2018 dated 14.12.2018 under sections 21(c)/29 of the NDPS Act

And

In Re : Habibur Rahman @ Laltu

..... petitioner

Mr. Kamalesh Chandra Saha

..... for the petitioner

Mr. Bitasok Banerjee

..... for the State

The petitioner is in custody for 3 years.

Learned lawyer for the State opposes the prayer for bail.

Having considered the statements of the witnesses as well as the seizure memo disclosing involvement of the petitioner in the alleged possession of more than 5 litres of codeine mixture, which is above commercial quantity 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.)