

09.11.2021

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sdas
rejected

C.R.M. 7153 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 658 of 2020 dated 01.06.2020 under Section 21(c) of the NDPS Act.

And

In Re : Malek Gazi

..... petitioner

Mr. Angshuman Chakraborty
... for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for one year and six months. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

Having considered the statements of the witnesses and the seizure memorandum showing recovery of narcotic substance from the possession of the petitioner i.e. 10 litres of Codeine Mixture which is above commercial quantity and in view of statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to take necessary steps to consider the issue of framing of charge at the earliest and in the

event such charge is framed to conclude the trial as expeditiously as possible preferably within three months from the next date fixed before it and upon the charge being framed to take to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

