

09.11.2021
pk
ct 28
sl no. 89

C.R.M. 7196 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 01.11.2021 in connection with Liluah P.S. case no. 336 of 2019 dated 22.12.2019 under sections 20(b)(ii)/29 of the NDPS Act,

And

In Re : Abhishek Biswas @ Arup and another
..... petitioners

Mr. M. Chatterjee
..... for the petitioners

Md. Anwar Hossain
Mr. F. A. Begg
..... for the State

It is submitted by the learned counsel for the petitioners that the petitioners are in custody for 600 days and pray for bail.

Learned lawyer for the State opposes the prayer for bail.

Having considered the statements of the witnesses as well as the seizure memo disclosing recovery of 100 kgs of ganja from the petitioners, 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 petitioners.

Accordingly, the prayer for bail is rejected.

However, trial court is directed to promptly consider the issue of framing of charge and in the event, charge is framed, trial court is directed to expedite the trial and conclude the same at an early date preferably within 1 year from the date of framing of charge without granting adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)