

22.11.2021
Ct No. 28
D/L 22
ab/rrc

C.R.M. 7450 of 2021
(Via Video Conference)

Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Krishnaganj Police Station Case No. 237 of 2019 dated 14.10.2019 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

In Re: **Metun Roy @ Mithun Roy**

... petitioner

Mr. Angshuman Chakraborty
Mr. Sashanka Sekhar Saha

... for the petitioner

Mr. Antariksha Basu

.... for the State

The learned Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Krishnaganj Police Station Case No. 237 of 2019 dated 14.10.2019 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

Contraband above the commercial quantity was recovered from the exclusive possession of the petitioner. The petitioner is in custody since 14th October, 2019. According to the learned Advocate for the petitioner,

though the charges have been framed, but there is no possibility of commencement of the trial in near future. It is undeniable that the charges have been framed by the Special Court and if the trial is expedited, it would subserve the justice.

Because of the rigor of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, we do not feel that merely because the petitioner has been incarcerated for more than 2½ years in custody, an exception to the aforesaid provisions is immediately attracted. The prayer for bail is, thus, rejected.

However, the learned Special Judge under the NDPS Act, Krishnagar, Nadia is requested to expedite the trial of the case and to bring to its logical conclusion at an earliest.

The application for bail being **CRM 7450 of 2021** is **dismissed**.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)