

CRM No.11229 of 2020

29.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Habra** Police Station **Case No.214**
Sl.30 **of 2019** dated **29.05.2019** under Sections **21(C)/29** of the Narcotic
Ct.28 Drugs and Psychotropic Substances Act;

And

In re: Shankar Baidya

... petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha

... for the petitioner.

Mr. Ranabir Ray Chowdhury
Mr. Mainak Gupta

...for the State.

The learned advocate for the petitioner submits that the petitioner is detained in custody for one year eight months and till date the stage for consideration of charge is not over. Additionally, the learned advocate submits that considering the period of detention, the petitioner may be released on bail on any stringent condition.

The learned advocate for the State opposes the petitioner's prayer for bail and submits that commercial quantity codeine mixture (5 litres) were seized from the possession of the petitioner. As such, he may not be released on bail.

We have considered the materials on record and as commercial quantity of contraband is involved, the provisions of Section 37 of the NDPS Act are attracted and the petitioner is not entitled to be released on bail.

Having regard to the fact that the petitioner is in custody for one year eight months and the next date is fixed on 30th May, 2021, the learned Trial Court is directed to overcome the stage of consideration of charge on the said date or within a week thereafter and expedite the progress of the trial and complete the same within a reasonable time.

Accordingly, the application for bail being CRM No.11229 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)