

29.07.2021

Court No. 28
Item No. JB - 08
nandy

(bail - rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI**

(Via Video Conference)

CRM 695 of 2021

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on NIL in connection with Mathabanga Police Station Case No. 140 of 2018 dated 10.05.2018 under Section 21(b)(II)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act. (NDPS Case No. 42 of 2018)

and

In the matter of: **Rabindar Singh & Anr.**

..... Petitioners

Mr. Subhasish Misra, Advocate

.....for the Petitioners

Mr. Aditi Shankar Chakraborty, Learned A.P.P.

Mr. Aniruddha Biswas, Advocate

..... for the State

The Advocate-on-record of the petitioners undertake 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 petitioners have filed the instant application for bail in connection with Mathabanga Police Station Case No. 140 of 2018 dated 10.05.2018 under Section 21(b)(II)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act.

It is submitted that the petitioners are languishing in jail for more than three years and commercial quantity of contraband (Ganja) has been recovered from the exclusive possession of the petitioners.

In view of the embargo created under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, we do not think that the petitioners should be released on bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 695 of 2021** accordingly **dismissed**.

However, we direct the learned Special Judge, NDPS Court, to expedite the trial.

(Harish Tandon , J.)

(Bibek Chaudhuri, J.)