

24.08.2021

court no. : 28
Item no. : JCB-12
matter : 439
status : REJECTED
transcriber : nandy

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

(Via Video Conference)

CRM 867 of 2021

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 18.08.2021 in connection with Tufanganj Police Station Case No. 354 of 2020 dated 27.08.2020 under Sections 21(c)/29 of the Narcotic Drugs & Psychotropic Substances Act. (NDPS Case No. 75 of 2020)

and

In the matter of: **Ekramul Haque @ Akramul Haque & Anr.**

.....Petitioners

Mr. Nilendra Narayan Ray, Advocate

.....for the Petitioner

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

.....for the State

The petitioners have filed the instant application for bail in connection with Tufanganj Police Station Case No. 354 of 2020 dated 27.08.2020 under Sections 21(c)/29 of the Narcotic Drugs & Psychotropic Substances Act.

Indubitably commercial quantity of contraband has been recovered from the exclusive possession of the petitioners. The petitioners are in custody for nearly one year and expecting a speedy trial. It transpires in the course of hearing that witnesses have been examined but there is no sign of progress, which may lead to speedy trial of the case.

In view of recovery of the contraband above commercial quantity we do not find that the petitioners have been able to make out a case for taking exception to Section 37 of the NDPS Act.

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

The application being **CRM 867 of 2021** is accordingly **dismissed**.

However, we request the learned Special Judge under NDPS Act, to expedite the trial of the case and also to bring the case to its logical end within eight months from the date of communication of this order.

(Harish Tandon, J.)

(Md. Nizamuddin, J.)