

31.03.2022
Serial no.91
[Dd]
(Bail **Rejected**)

CRM (NDPS) 11 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **NDPS Case No. 39 of 2016** arising out of **Dankuni** Police Station Case No. **453** of **2016** dated **01.12.2016** under Sections **21(c)/25/29(C)** of the Narcotic Drugs & Psychotropic Substance Act, 1985 and **468** and added Sections **420/120(B)** of the Indian Penal Code.

-And-

In the matter of : Shaligram Singh

... ..Petitioner

Mr. Sabir Ahmed,
Ms. Baisali Basu, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Ms. Manisha Sharma, Advocate
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 5 years without the possibility of the trial concluded any time soon.

Learned advocate appearing for the State submits that the trial is in progress. The prosecution witness was examined. The next date is May 4, 2022. He submits that commercial quantity was seized from the joint possession of the petitioner.

Considering the fact that commercial quantity of narcotic was seized from the joint possession of the petitioner, we are of the view that the petitioner is unable to overcome the restriction under Section 37 of the NDPS Act, 1985.

In the circumstances, we are not inclined to grant bail to the petitioner.

Considering the fact that the trial is in progress and the next date fixed is May 4, 2022 with the prosecution yet to examine more than 20 witnesses, it would be appropriate to request the trial Court to fix consecutive dates of trial subsequent to May 4, 2022 and endeavour to adhere to the same. The trial Court is also requested not to grant any unnecessary adjournments to any of the parties.

Prayer for bail of the petitioner is **rejected**.

CRM (NDPS) 11 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)