

16.03.2022

Court No.32
rpan /109

CRM (NDPS) 19 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re. : **Saiful Biswas**

- Petitioner

Mr. Manas Kumar Das,
Mr. Sumanta Das
... for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,
Mr. Apurba Kumar Datta
... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Murutia Police Station Case No. 87 of 2021 dated 26.04.2021 under Sections 20(b)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary

It appears that approximate 21.2 Kgs. of *ganja* was recovered from the possession of the petitioner. As such, the statutory restrictions are clearly attracted. In view thereof, we are not inclined to exercise our discretion in favour of the petitioner and his prayer for bail is rejected at this stage.

However, Mr. Das, learned advocate appearing for the petitioner, submits that the petitioner is languishing in custody for 344 days and trial has not yet commenced.

Mr. Banerjee, learned advocate appearing for the State, upon instruction, submits that charges have already been framed and there are in total 18 witnesses.

In view thereof, the learned court below is directed to expeditiously conduct the trial, if necessary, upon resorting to the steps available under Section 309 of the Code so that logical conclusion of the case may be reached at the earliest.

The application for bail, being CRM (NDPS) 19 of 2022 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)