

CRM (NDPS) 22 of 2022
(via video conference)

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

And

In Re : Jahiruddin Sk. & Ors.

.....Petitioners

Mr. Angshuman Chakraborty

.....for the Petitioners

Mr. Ranadeb Sengupta

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Nakashipara P.S. Case No. 235/21 dated 23.05.2021 under Sections 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Mr. Chakraborty, learned advocate appearing for the petitioners submits that charges have already been framed, but thereafter there had been no substantial progress. He further submits that the petitioner is languishing in custody for about 302 days.

Mr. Sengupta, learned advocate appearing for the State submits that contraband substance above commercial quantity was recovered from the possession of the petitioners.

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

Prima facie, we find that contraband substance above commercial quantity was recovered from the possession of the petitioners and as such, the statutory restrictions are attracted. In view thereof, the petitioners' prayer for bail is refused at this stage.

The application CRM (NDPS) 22 of 2022 is, accordingly, dismissed.

The learned Court below is, however, requested to expeditiously conduct the trial and if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of the case may be reached at the earliest.

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.)