

CRM(NDPS) No.49 of 2022

Via video conference

14.02.22

(S.R.)

Sl.53

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Lalgola** Police Station Case No.150 of 2019 dated 10/02/2019 under Sections 21(C)/29 of the NDPS Act;
And

In re: Josim Sk & Anr.

... petitioners.

Mr. Arnab Chatterjee

... for the petitioners.

Mr. Sanjay Bardhan

Ms. Baishakhi Chatterjee

...for the State.

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

It appears 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, we are not inclined to exercise any discretion in favour of the petitioners. As such, their prayer for bail is refused at this stage.

Answering our query, Mr. Bardhan, learned advocate appearing for the State submits that charges have already been framed and next date has been fixed for evidence.

Mr. Chatterjee, however expresses the petitioners' anguish and inconvenience, as regards the delay in the progress of the trial. We take notice of such issue and request the learned court below to expeditiously conduct the trial and, if necessary, upon resorting to the steps available under Section 309 of the Code of Criminal Procedure so that logical conclusion of the case may be reached at the earliest, without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM(NDPS) No.49 of 2022 is, accordingly, 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.)