18.02.2022
Serial no.25
Dd

CRM(NDPS) 78 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **South Port** Police Station Case No. **198** of **2019** dated **October 21, 2019** under Sections **20(b)(ii)** of the Narcotic Drugs and Psychotropic Substances Act, 1985 (ST No. 6(3) of 2022 (NDPS-87 of 2019).

-And-

In the matter of : Sri Birju Mallick ... ...Petitioner

Mr. Tanmay Das, Advocate
... ... For the Petitioner

Mr. Madhusudan Sur, ld. APP
Mr. Dipankar Pramanick, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the State submits that the trial is in progress. The evidence of the investigation is now being recorded. He submits that next date fixed is March 2, 2022. Moreover, commercial quantity of narcotic 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 restrictions under Section 37 of the NDPS Act, 1985. Consequently, we are not inclined to grant bail to the petitioner.

However, we request the learned trial Court to dispose of the trial as expeditiously as possible without granting unnecessary adjournments to any of the parties.

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

CRM(NDPS) 78 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)