

25.02.2022  
Court No.32  
Item No. 16  
Avijit Mitra

**C.R.M. (NDPS) No.113 of 2022**

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

And

**In Re : Milan Chaki @ Meru**

Petitioner

Mr. Kallol Kumar Basu

For the Petitioner

Mr. Sudip Ghosh,  
Mr. Bitasok Banerjee

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Airport Police Station Case No. 79 of 2021 dated 03.04.2021 under sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

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 joint possession of the petitioner and two other co-accused persons. As such, statutory restrictions are clearly attracted. In view thereof, the petitioner's prayer for bail is refused, at this stage.

Mr. Basu, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for about 328 days.

Answering our query Mr. Banerjee, learned advocate appearing for the State informs this Court that date has been fixed for framing of the charges.

In view thereof, learned Court below is requested to take up the issue of consideration of charges on the date fixed, without granting any unnecessary adjournments to either of the parties. In the event charges are framed the learned Trial Court shall expedite the trial.

Accordingly, the application for bail, being CRM (NDPS) No.113 of 2022, is 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)**