

CRM (NDPS) 141 of 2022
(via video conference)

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

And

In Re : Kamal Mondal

.....Petitioner

Mr. Prabir Majumder

.....for the Petitioner

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 Nabadwip P.S. Case No. 204/2021 dated 19.05.2021 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances 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 and as such, the statutory restrictions are clearly attracted. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner. As such, the prayer for bail is refused at this stage.

The application CRM (NDPS) 141 of 2022 is, accordingly, dismissed.

The learned advocate appearing for the petitioner, however, expresses his anguish and inconvenience as regards the delay in

progress of the trial and submits that the petitioner had already suffered long incarceration for more than 282 days.

Answering our query, Mr. Sengupta, learned advocate appearing for the State submits that the date for framing of charges has been fixed on 11th March, 2022.

In view thereof, the learned Court below is requested to take up the issue of consideration of charges on the date fixed, without granting any unnecessary adjournment to either of the parties. If charges are framed, the learned Court below shall expedite the trial and conclude the same as early as possible.

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.)