

CRM(NDPS) No.157 of 2022

Via video conference

25.02.22

(S.R.)

Sl.36

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Bhimpur** Police Station Case No.315 of 2020 dated 05/12/2020 under Section 21(c) of the NDPS Act (corresponding to NDPS Case No.85 of 2020);

And

In re: Nasiruddin Molla

... petitioner.

Mr. Prabir Majumder

... for the petitioner.

Mr. Neguive Ahmed

Ms. Amita Gaur

...for the State.

Heard the learned lawyers for the petitioner as well as the State and perused the case diary.

It appears that contraband substance above commercial quantity was recovered from the possession of the present petitioner. Therefore, the rigours of Section 37 of the NDPS Act applies in this case. However, it is submitted by the learned lawyer for the State, Ms. Gaur that 13 accused persons are absconding, for which charge could not be considered.

Upon rejecting the instant application for bail at this stage as rigours of Section 37 of the NDPS Act applies, we direct the Learned Court below to expedite the process of bringing the absconding accused to the clutch of law so that trial may commence.

The application for bail being CRM(NDPS) No.157 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.)