

09.02.2022

Sl. 25

Court No.29

sourav

(Rejected)

C.R.M. (NDPS) 169 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **31.01.2022** in connection with **Barasat** P.S. Case No. **1059 of 2016** dated **20.12.2016** under Sections **20(b)(ii)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Surajit Sarkar @ Suraj.**

....petitioner.

Mr. Soujanya Bandyopadhyay

...for the Petitioner.

Mr. Anowar Hossain

Ms. Ratna Ghosh

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since December 26, 2016. He submits that the family of the petitioner was informed of a medical condition of the petitioner by the correctional home. He submits that there is hardly any possibility of the trial being concluded any time soon.

Learned advocate appearing for the State submits that the commercial quantity of the narcotic was seized from the exclusive possession of the petitioner. He submits that the next date of the trial is March 4, 2022 for the purpose of recording evidence of the prosecution witnesses.

Considering the fact that the petitioner was arrested along with commercial quantity of narcotic, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

We are, therefore, unable to grant bail to the petitioner. However, we request the Superintendent of the Correctional Home where the petitioner is lodged to make every effort to ensure adequate medical assistance is rendered to the petitioner.

The Court in seisin of the trial is requested to dispose of the same as expeditiously as possible without granting unnecessary adjournments to any of the parties

Consequently, we are unable to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

C.R.M. (NDPS) 169 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

