

CRM(NDPS) No.180 of 2022

Via video conference

28.02.22

(S.R.)

Sl.28

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Kultali** Police Station Case No.246 dated 29/05/2021 under Section 22(c) of the NDPS Act;

And

In re: Narayan Mondal

... petitioner.

Mr. Jaydeep Biswas

... for the petitioner.

Mr. Saryati Datta

... for the State.

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 exclusive possession of the petitioner and as such, the statutory restrictions are clearly attracted. In view thereof, the petitioner's prayer for bail is refused at this stage.

Mr. Biswas, learned advocate appearing for the petitioner, however, has expressed his anguish and inconvenience, as regards the delay in the progress of the trial. He submits that the petitioner has already suffered long incarceration for about 276 days.

Answering our query, Mr. Datta, learned advocate appearing for the State submits that charge sheet has already been submitted along with the chemical report and the date of framing of charges has already been fixed and that there are thirteen witnesses.

In view thereof, we direct the learned court below to expeditiously conduct the trial and, if necessary, upon resorting to the steps available under Section 309 of the Code of Criminal Procedure so that logical conclusion of the case may be reached at the earliest, without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM(NDPS) No.180 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.)