

28.02.2022

Court No.32

rpan /43

C.R.M. (NDPS) 196 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Baduria Police Station Case no.435 of 2019 dated 17.09.2019 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (as amended in 2001);

And

In Re : **Akash Ghosh**

- Petitioner.

Mr. Soujanya Bandyopadhyay

... for the petitioner.

Mr. Binay Panda,

Ms. Pushpita Saha

... 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. As such, the rigours of Section 37 of the NDPS Act is clearly attracted. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused at this stage.

Answering our query, Ms. Saha, learned advocate appearing for the State submits that charges have been framed and out of eight witnesses, one had already been examined.

Mr. Bandyopadhyay, learned advocate appearing for the petitioner, however, submits that the petitioner's father is sick and prays for issuance of necessary direction towards expeditious disposal of the proceedings.

In view thereof, the learned court below is directed to expeditiously conduct the trial without granting any unnecessary adjournments to either of the parties and if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of this case may be reached at the earliest preferably within a period of six months from the date of communication of this order.

With the aforesaid observations, the application for bail, being CRM (NDPS) 196 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.)