

16.03.2022

Serial no.43

Dd

CRM (NDPS) 205 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **700** of **2019** dated **26.08.2019** under Sections **20(b)(ii) (C)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 in connection with T.R. Case No. **30/2019**.

-And-

In the matter of : Goutam Debnath

... ..Petitioner

Mr. Pankaj Halder,
Mr. Sanatan Panja,
Mr. Tapas Manna, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi, Advocates
... ..For the State

The report as called for by the order dated March 7,2022 filed in Court be taken on record.

Learned advocate appearing for the State submits that one of the accuseds was absconding. He was since arrested. The next date fixed is April 18, 2022 for production of the accused persons.

Learned advocate appearing for the petitioner submits that there is an order passed by the Hon'ble Supreme Court directing expeditious disposal of the trial. He submits that charges are yet to be framed.

The Trial Court could not frame charges in view of the fact that one of the accuseds was absconding. However, such accused was subsequently arrested. The jurisdictional

Court fixed April 18, 2022 for the purpose of production of the accuseds.

In the facts of the present case, it would be appropriate to request the jurisdictional Court to frame charges on April 18, 2022 itself, if possible. The jurisdictional Court is also requested to fix the consecutive dates of trial immediately on framing of the charges and adhere to such dates fixed to the extent possible. The jurisdictional Court will not grant any unnecessary adjournments to any of the parties.

Considering the fact that commercial quantity of narcotic was recovered from the joint possession of the petitioner, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (NDPS) 205 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)