

C.R.M. (NDPS) 341 of 2022

20.04.2022
Sl. 39
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **N 20/2018** corresponding to Seizure Case No. **749/ EXP/ CLAIM/ BSF/ CUS/ Tent/ 18** dated **21.07.2021** under Sections **20(b)(ii)(C)** and Section **23(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Sabir Sardar**

....petitioner.

Mr. Shashanka Shekhar Saha

...for the petitioner.

Mr. Rajyashree Venket Knudalia

Mr. Abhradip Maity

...for the Customs.

The petition is taken up for consideration subsequent to the order dated April 5, 2022.

The Court is informed that two prosecution witnesses were examined in the meantime. The next date fixed by the trial court are on June 23, 2022 and on June 24, 2022.

Considering the fact that commercial quantity of narcotic was seized from the 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.

The trial is in progress.

The trial court is requested to invoke the Section 309 of the Criminal Procedure Code, fix consecutive dates of trial and endeavour to adhere to the same. The trial court is also requested not to grant any unnecessary adjournments to any of the parties.

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

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

C.R.M. (NDPS) 341 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

