

C.R.M. (NDPS) 410 of 2022

21.04.2022
Sl. 47
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Special Task Force** Police Station Case No. **15** of **2018** dated **08.09.2018** under Sections **22(C)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Sabir Sk @ Juel**

....petitioner.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

...for the petitioner.

Mr. Sanjoy Bardhan
Ms. Amita Gaur

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 2018. He seeks expeditious disposal of the trial.

Learned advocate appearing for the State submits that commercial quantity of narcotic was seized from the possession of the petitioner. The ongoing pandemic impacted the progress of the trial.

The impact of the ongoing pandemic on the progress of the trial cannot be discounted. The prosecution cannot be said to be indolent. The Court is informed that there are eight prosecution witnesses out of which one was examined. The evidence of the prosecution is being recorded.

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.

Considering the fact that the petitioner is in custody since

2018, it would be appropriate to request the trial court to invoke the provisions of Section 309 of the Criminal Procedure Code. The trial court is also requested not to grant 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) 410 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

