

14.06.2022.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 606 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 278 of 2021 arising out of Jalangi P.S. Case No.350 of 2021 dated 10.12.2021 under Sections 20(b)(ii)(B)/29 of the N. D. P. S. Act.

In the matter of : Rebu Shekh & Anr.

... Petitioners.

Mr. Arnab Chatterjee,
Mr. Jisan Iqubal Hossain.

...for the Petitioners.

Mr. Binay Panda,
Mr. Subham Bhakat.

...for the State

Heard the learned Advocates appearing for the parties.

Learned Advocate for the petitioner submits 10kgs. of ganja was recovered from the petitioner no.1. While petitioner no.2 was in custody, it is alleged on his leading statement another 10 kgs. of ganja was recovered. Such recoveries are manufactured and the petitioners may be granted bail.

Learned Advocate for the NCB opposes the prayer for bail and submits petitioners were acting in concert with one another and total recovery was 20.5 kgs. of ganja, which is above commercial quantity. Prayer for bail of the petitioners were rejected in February, 2022.

We have considered the materials on record. Recoveries from the petitioners are supported by independent witnesses. Petitioners appear to have acted conjointly and the total recovery from them is above commercial quantity. Prayer for

bail of the petitioners were rejected in February, 2022 and there is no extenuating change in circumstance since then.

In view of the aforesaid facts, we are not inclined to grant bail to the petitioners.

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

However, we direct the trial court to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)