

22.07.2022
cm/ct 28

C.R.M. (NDPS) No. 699 of 2022

sl. no. 5

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 12 of 2021 arising out of **Panskura P.S Case No. 601 of 2021** dated **09.12.2021** under Sections **22(c)** of the N.D.P.S. Act.

Rejected

And

In Re : Bapan Munsi @ Ispinder Munsi & Anr.

..... petitioners

Mr. Kusal Kumar Mukherjee

..... for the petitioners

Mr. Antarikhya Basu

..... for the State

Mr. Basu, learned advocate appearing for the State submits FSL report has been placed before the court below.

We have considered the materials on record Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic substance i.e. 38 kgs. of ganja which is above commercial quantity from the petitioners.

In view of the aforesaid incriminating materials and in the light of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioners.

Trial court is directed to consider the issue of framing charge on the next date fixed for recording evidence and if it is unable to do so, positively a month thereof without granting unnecessary adjournment either of the parties.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

