

15.07.2022

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rejected

C.R.M.(NDPS) 791 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rajarhat Police Station Case No. 44 of 2021 dated 15.03.2021 under Section 21(c) of the NDPS Act.

And

In Re : Sk. Selim @ Sk. Salim @ Sekh Salim petitioner

Mr. Galib Kabir

Mr. Arnab Mukherjee

....for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 487 days. He renews his prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure list show recovery of 260 gms. of Heroin which is above commercial quantity. Prayer for bail of the petitioner was rejected earlier on merits. It is contended there are discrepancies with regard to arrest and seizure. Such issues require to be assessed in the backdrop of evidence led during trial. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same within a period of one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)