

25.07.2022

9

sdas

rejected

C.R.M.(NDPS) No. 826 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 137 of 2020 dated 08.02.2020 under Section 22(c)/29 of the NDPS Act.

And

In Re : Murshed Sk. petitioner

Mr. Jisan Iqbal Hossain

....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Arijit Ganguli

Mr. Arani Bhattacharyya

..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for more than three years. He submits that independent witnesses have not been supported the seizure.

Learned Counsel appearing for the State opposes prayer for bail.

Statements of official witnesses and contemporaneous documents show recovery of narcotic substance which is above commercial quantity from the petitioner. Seizure witnesses have admitted their signatures on the seizure memorandum. They have been declared hostile. The impact of their evidence is to be assessed in the light of the incriminating evidence of the official witnesses and other contemporaneous documents. Under such

circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within a period of six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)