

28.07.2022.
10.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 838 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.43 of 2020 arising out of Bhatpara P.S. Case No.266 of 2020 dated 17.07.2020 under Sections 21(C) of the N. D. P. S. Act.

In the matter of : Bijoy Paswan @ Datla @ Sunny.
... Petitioner.

Mr. Satadru Lahiri,
Mr. Vikash Singh,
Ms. Sneha Singh.
...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for over two years. He submits there is slow progress in the matter.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memo show recovery of narcotic substance above commercial quantity from the petitioner.

In view of the aforesaid incriminating materials on record and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

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

However, in the light of protracted period of detention suffered by the petitioner trial court is requested to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed before it without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)