

01.08.2022
cm/ct 28

C.R.M. (NDPS) No. 863 of 2022

sl. no. 6

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **NDPS Case No. 254 of 2019** arising out of **24/NCB/KOL/2019** under Section **21 (c)/27A/28/29** of the N.D.P.S. Act.

Rejected

And

In Re : Balveer & Anr.

..... petitioners

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

..... for the petitioners

Mr. Rajendra Banerjee

..... for the NCB

Petitioners are in custody for about three years. It is submitted there is slow progress in the trial of the case. Accordingly, they pray for bail.

Learned lawyer for the NCB opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic substance i.e. 15000 bottles of phensedyal syrup containing codeine phosphate above commercial quantity from a truck which was driven by 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.

In view of the protracted period of detention suffered by the petitioners, we direct the trial court to conclude the trial at an early date preferably within one year from the next date fixed for

recording evidence without granting unnecessary adjournment to either of the parties.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)