

10.08.2022.
14.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 911 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.167 of 2020 arising out of Berhampore P.S. Case No.687 of 2020 dated 11.07.2020 under Sections 22(c)/29 of the N. D. P. S. Act.

In the matter of : Motiur Sk @ Moti.

... Petitioner.

Mr. A. A. Alammgir,
Ms. Riya Das,
Ms. Rabia Khatoon.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 760 days. He prays for bail.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance above commercial quantity i.e. 100 bottles of phensedyl syrup containing codeine mixture from the possession of the petitioner and the co-accuseds.

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

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

We direct the trial court to consider the issue of framing of charge at the earliest and in the event the charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)