

11.08.2022.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 912 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat P.S. Case No.29 of 2019 dated 10.01.2019 under Section 21(C) of the NDPS Act.

In the matter of : Saiful Molla.

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Suman De.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for over three years and seven months. It is submitted there is slow progress in the trial of the case.

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 memorandum show recovery of narcotic substance above commercial quantity i.e. 7 ltrs. of codeine mixture from the possession of the petitioner. Trial is in progress.

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.

In view of the aforesaid facts and also bearing in mind the heavy pendency in the docket of the trial court, we request the trial court to ensure that the schedule fixed for examination of prosecution witnesses are scrupulously adhere to and the trial is completed as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)