

22.08.2022.
14.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 946 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur P.S. Case No.347 of 2021 dated 02.09.2021 under Section 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Sahabul Mallick.

... Petitioner.

Mr. Maidul Islam Kayal.

...for the Petitioner.

Mr. Prasun Kr. Datta, ld. A.P.P.,
Mr. S. Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 351 days. 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 memo show recovery of narcotic substance above commercial quantity i.e. 2 ltrs. of codeine mixture from the possession of the petitioner.

Under such circumstances and in view of 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.

Trial court is directed to conduct the trial as expeditiously as possible and conclude the same at an early date preferably within 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.)