

23.08.2022.
10.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 955 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.101 of 2021 arising out of Lalgola P.S. Case No.387 of 2021 dated 03.06.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Nowsad Ali @ Md. Nowsad Ali.
... Petitioner.

Mr. Tapodip Gupta.
...for the Petitioner.

Mr. Suman De.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 445 days. It is contended there is slow progress in the matter before the trial court.

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 8 ltrs. of codeine phosphate above commercial quantity from the possession of 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.

We request the trial court to take up the issue of consideration 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.)