

CRM No.8342 of 2021

Via video conference

10.01.22

(S.R.)

Sl.45

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Hanskhali** Police Station Case No.295 of 2021 dated 03/05/2021 under Sections 21(c) of the NDPS Act (corresponding to NDPS Case No.44 of 2021);

And

In re: Gadadhar Ghosh

... petitioner.

Ms. Rajnandini Das

... for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

...for the State.

Heard the learned advocates and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the possession of the petitioner and as such, the rigours of Section 37 of the NDPS are attracted. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for bail is rejected at this stage.

However, the petitioner is languishing in custody for about 253 days and till date the FSL report has not been obtained. In view thereof, the prosecution is directed to take expeditious steps to obtain the FSL report and to submit supplementary charge sheet as early as possible so that expeditious steps can be taken by the learned court below for conclusion of the trial.

The application for bail being CRM No.8342 of 2021 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)

