

CRM 8548 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Asmaul Sk @ Ashmaul Sk @ Jubber & Ors.
.....Petitioners

Mr. Sarwar Jahan
.....for the Petitioners

Mr. Ranadeb Sengupta
.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Samsherganj P.S. Case No. 74 of 2020 dated 14.05.2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act.

Mr. Jahan, learned advocate appearing for the petitioners submits that the petitioners have already suffered long incarceration for about one year eight months and as such, they may be enlarged on bail on any stringent condition.

Answering our query Mr. Sengupta, learned advocate appearing for the State submits that charges have already been framed and schedule for examination of the witnesses has been scheduled on and from 15th March, 2022 to 17th March, 2022.

It appears that contraband substance above commercial quantity was recovered from the possession of the petitioner and as such, rigors of Section 37 of the NDPS Act is clearly attracted.

In view thereof the petitioners' prayer for bail is refused at this stage.

The learned Court below is, however, requested to expeditiously conduct the trial and if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of the case may be reached at the earliest.

With the above observations, the application being CRM 8548 of 2021 is 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.)