

05.09.2022
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1001 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.08.2022 in connection with Eco Park Police Station Case No. 209 of 2020 dated 08.11.2020 under Section 21(c) of the NDPS Act.

And

In Re: ***Newsar Ali***

... .. Petitioner

Sk. Hasan Salahuddin
Ms. Reshmi Rehman

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 664 days.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 2 ltrs. of *codeine mixture*, which is above commercial quantity from the possession of the petitioner. Trial is in progress. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

