

08.09.2022.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1024 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.188 of 2020 arising out of Suti P.S. Case No.392 of 2020 dated 18.08.2020 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Matiur Rahaman.

... Petitioner.

Syed Neaz Ahmed.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Petitioner is in custody for more than two years. He prays for bail.

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 378 bottles of phensedyl containing 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 direct the trial court to consider the issue 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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)