

CRM 9022 of 2021

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 23.12.2021 in connection with Basirhat Police Station Case No. 390 of 2020 dated 20.03.2020 under Section 21(c) of the NDPS Act .

-And-

In the matter of : **Amit Biswas**

... ..Petitioner

Mr. Kamalesh Chandra Saha, Advocate

Ms. Payel Mitra, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee, Advocate

Mr. Mirza Ahmed Begg, Advocate

... .. For the State

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner refers to the order dated November 1, 2021 which records a request for undertaking the trial as expeditiously as possible. He submits that the charges were framed. Subsequent thereto a date was fixed in the month of February 2022 for the purpose of recording of evidence. No evidence was recorded on such date.

Learned Advocate appearing for the State submits that there is hardly any change in circumstances subsequent to the earlier order of rejection.

It appears from the records that the police case is dated March 20, 2020. The petitioner was arrested with commercial quantity of narcotics. The prayer for bail was rejected on November 1, 2021 in CRM 6986 of 2021 considering Section 37 of the NDPS Act of 1985. A request was made for expeditious disposal of the trial. There is hardly any change in circumstances subsequent to the earlier order of rejection. Moreover, the provisions of Section 37 of the NDPS Act of 1985 stands in the way of the petitioner in granting him bail. Consequently, we are unable to grant bail to the petitioner.

CRM 9022 of 2021 is rejected

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)