

23.09.2022
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1080 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2022 in connection with Chapra Police Station Case No. 478 of 2020 dated 28.11.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.80 of 2020)

And

In Re: **Selim Sk.**

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years. It is further submitted there is slow progress in the matter before the trial court.

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. 20 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials on record and gravity of the offence, we are not inclined to grant bail to the petitioner.

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

However, in view of the protracted period of detention suffered by the petitioner, we direct the trial court to conclude the trial 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.)