

29.09.2022.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1151 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.36 of 2021 arising out of Uluberia P.S. Case No.270 of 2021 dated 06.08.2021 under Section 21(c) of the NDPS Act.

In the matter of : Nasiruddin Mondal @ Nasu.
... Petitioner.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Ms. Majnu Sk,
Mr. K. K. Bhattacharjee.
...for the Petitioner.

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

Petitioner is in custody for 415 days. 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 seizure memorandum show recovery of narcotic substance above commercial quantity i.e. 3.5 kgs. of codeine mixture from the possession of the petitioner.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to consider the issue of framing of charge on the next date fixed before it and in the event court is unable to do so positively within one month thereof and in the

event charge is framed to take the matter to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)