

31.10.2022
Sl. No.1
akd
[Rejected]

C. R. M. (NDPS) 1175 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.09.2022 in connection with Palashipara Police Station Case No. 290 of 2021 dated 20.07.2021 under Section 21(c) of the NDPS Act. (NDPS Case No.76 of 2021)

And

In Re: ***Din Mahammad Sk. @ Dinai***

... .. Petitioner

Mrs. Nasra Ali Rahman

... .. for the petitioner

Mr. Sanjay Bardhan

Mr. P. Majhi

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than one year and two months. In the meantime, his daughter has expired. There is slow progress in the trial of the case.

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. 254 gms. of *Heroin*, which is above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials on record and 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.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)

