

64. 18.10.2022
Ct.29 Tanmoy/TN

Rejected

CRM (NDPS) 1247 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with NDPS Case No. 8 of 2020 arising out of Serampur Police Station Case No. 52 of 2020 dated 11.02.2020 under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: - **Rahul Jaiswal**

...petitioner.

Mr. Kishore Dutta, ld. Sr. Adv.,
Mr. Sayan Datta

...for the petitioner.

Mr. Sanjoy Bardhan,
Mr. Aninda Sundar Chatterjee

...for the State.

Petitioner renews his prayer for bail.

Learned Senior Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 900 days. Other co-accused persons were enlarged on bail.

Learned Advocate for the State submits that commercial quantity of narcotics was seized from the house belonging to the petitioner.

The petitioner is unable to overcome the restrictions in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 as commercial quantity of narcotics was seized from his house.

The Court is informed that trial is in progress.

In such circumstances, we are unable to grant bail to the petitioner.

However, in view of the period of detention suffered by the petitioner, it would be appropriate to request the learned trial Judge not to grant unnecessary adjournments to any of the parties on the consecutive dates fixed for trial with an endeavour to adhere to the same and to dispose of the trial as expeditiously as possible.

Accordingly, the application for bail being CRM (NDPS) 1247 of 2022 is rejected.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)