

20.10.2022.
22.
Ct.No.28
as/cm
(Rejected)

C.R.M. (NDPS) 1254 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.203 of 2021 arising out of Lalgola P.S. Case No.704 of 2021 dated 21.09.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Azad Ali.

... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Having heard the learned advocate for the petitioner and the learned Public Prosecutor-in-charge and on careful perusal of the materials on record, we find that narcotic substance of commercial quantity was recovered from the possession of the petitioner.

In view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to release the petitioner on bail.

Accordingly, prayer for bail of the petitioner is rejected.

However, since charge sheet has reportedly been submitted before the learned Special Judge, 2nd Court at Berhampore, Murshidabad, the learned Trial Judge is requested to frame charge against the accused within one month after Vacation and proceed with the trial of the case expeditiously.

The instant application is thus rejected.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)