

20.10.2022

Vacation Bench
SL No.30
s.biswas

C.R.M. (NDPS) 1267 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Belghoria** P.S. Case No. **497 of 2021** dated **25.07.2021** under Sections **20(b)(ii)(c)/29** of the N.D.P.S. Act.

And

In the matter of: **Ranjan Saha**

...petitioner

Mr. Kailash Tamoli

...for the petitioner

Mr. N. Ahmed, APP

Ms. Debjani Sahu

...for the State

It is submitted on behalf of the petitioner that the petitioner was arrested in connection with the instant case on the allegation that he is the recipient of a consignment allegedly containing commercial quantity of narcotic substance.

We have heard the learned advocate for the petitioner and the learned Public Prosecutor-in-Charge. It is not in dispute that prayer for bail was rejected previously. No changed circumstance is pleaded in the instant application. Considering such aspect of the matter and the materials in the case diary and also keeping in mind the embargo under Section 37 of the N.D.P.S. Act, 1985, the prayer for bail of the petitioner is rejected.

It is submitted on behalf of the petitioner that though charge-sheet has been filed against the petitioner, learned Trial Judge has not framed charge against the petitioner as yet.

Therefore, learned Trial Judge is requested to take up the case within one month after vacation for consideration of charge. If the Trial Judge finds material to frame charge, he

shall take expeditious step for conclusion of trial after framing of charge.

The instant application for bail being CRM (NDPS) 1267 of 2022 is thus rejected.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)