

20.10.2022.
AD-31
Ct.No.28
S. Banerjee/sb
(Rejected)

C.R.M. (NDPS) 1269 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Debra P.S. Case No. 244 of 2020 dated 09.06.2020 under Section 20(b)(ii)(C) of the N. D. P. S. Act.

In the matter of : Subrata Roy

... Petitioner

Mr. Mukteswar Maity

...for the Petitioner

Mr. Madhusudan Sur,
Mr. Apurba Kumar Dutta

...for the State.

Narcotic substance of commercial quantity was recovered from a car of which, according to the prosecution, the petitioner was the driver.

It is submitted by the learned advocate for the petitioner that the petitioner is a disabled person, he has no driving licence and being disabled, he cannot drive any motor vehicle and he was wrongly implicated in this case.

It is a matter of trial as to whether the petitioner was driving the vehicle from where narcotic substance was recovered or not. At present, it is not in dispute that narcotic substance of commercial quantity was recovered from a car and the petitioner was inside the car.

Considering such material in the case diary and keeping in mind the statutory restrictions under Section 37 of the

Narcotic Drugs and Psychotropic Substance Act, we are not inclined to release the petitioner on bail.

Accordingly, the application for bail is, thus, rejected.

Since the charge-sheet has already been submitted, the learned trial Judge is requested to expedite the trial of the case and try to conclude the hearing of the trial within ten months from the date of the communication of the order.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)