

17.11.2022
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 1341 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.11.2022 in connection with Kaliachak Police Station Case No.38 of 2021 dated 09.01.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.08 of 2021)

And

In Re: ***Md. Tauhid Sk. @ Tauhid Sk.***

... .. Petitioner

Mr. Priyankar Ganguly
Ms. Shalini Bairagi

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 688 days.

Learned advocate appearing for the State opposes the prayer for bail and submits trial has commenced.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance above commercial quantity from the possession of the petitioner. Trial has already commenced. Under such circumstances 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

