

21.11.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1349 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.7 of 2021 arising out of Entally P.S. Case No.43 of 2021 dated 28.01.2021 under Sections 20(b)(ii)(c)/29 of the N. D. P. S. Act.

In the matter of : Masem Sk. & Anr.

... Petitioners.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioners.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

...for the State.

Petitioners are in custody for one year and one month. It is contended they have been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of narcotic substance above commercial quantity i.e. 21 kgs. of ganja from the joint possession of the petitioners.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)