

13.12.2022.
09.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1467 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.237 of 2020 arising out of Bhagwangola P.S. Case No.500 of 2020 dated 20.10.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Dukhu Mahato.

... Petitioner.

Mr. Jisan Iqubal Hossain,
Ms. Chandrima Debnath,
Mr. Karnel Mondal.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance above commercial quantity i.e. 10 ltrs. of codeine phosphate from the possession of the petitioner.

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

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

We direct the trial court to consider the issue of framing of charge at the earliest and in the event the charge is framed

to take the proceeding to its logical conclusion without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)