

04.03.2022
Court No.01
Item No.6
Saswata
(rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 945 of 2021
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with New Jalpaiguri Police Station Case No. 725 of 2018 dated 09/10/2018 under Sections 20(b)(ii)(c)/23(c) 392 of the NDPS Act, 1985 .

And

In Re: **Chaintanya Barik & anr.**

Petitioner

Mr. Jaydeep Kanta Bhowmik
Miss Debi Sarkar

For the Petitioner

Mr. Nilay Chakraborty
Mr. Tapan Bhattacharjee

For the State

The petitioners are seeking bail in connection with New Jalpaiguri Police Station Case No. 725 of 2018 under Sections 20(b)(ii)(c)/23(c) 392 of the NDPS Act, 1985.

The petitioners have been apprehended in connection with the aforementioned case having allegedly possessed contraband above the commercial quantity.

In view of the embargo created under Section 37 of the NDPS Act, we do not find any ground being made to take exception to the aforesaid rigorous provision.

In view of the above, the prayer for bail is *rejected*.

However, we have been informed that a date has been fixed for recording the evidence of the charge sheeted witnesses in the month of March, 2022.

We request the learned Special Judge under the NDPS Act before whom the matter is pending, to expedite the trial of the case and efforts shall be made to bring it to its logical end within 8 months from date.

We hope and trust that the prosecution would produce witnesses on each date fixed by the learned Special Judge under the NDPS Act and equally the learned advocate appearing for the petitioner shall also cooperate with the Judicial Officer in adhering the time limit, indicated hereinabove.

The application for bail being CRM 945 of 2022 is accordingly dismissed.

(Harish Tandon, J)

(Rabindranath Samanta, J)