

20.10.2022.
JPD-02
Ct.No.28
S. Banerjee/sb
(Rejected)

C.R.M. (NDPS) 345 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khoribari P.S. Case No. 2 of 2021 dated 02.01.2021 under Sections 21(C)/23(c) of the N. D. P. S. Act.

In the matter of : Prem Maji

... Petitioner

Mr. Mirza Firod Ahmed Beg

...for the Petitioner

Mr. Aditi Shankar Chakraborty

Mr. Nilay Chakraborty

Mr. Biswarup Roy

...for the State.

Learned advocate for the petitioner has prayed for bail on behalf of the petitioner submitting inter alia that the prosecution has failed to establish the genesis of the case inasmuch as the initial GD entry has not been filed and there is mismatched in respect of the GD entry when the reference was made in written complaint. The accused is in custody for about 656 days.

Learned Public Prosecutor-in-charge has raised vehement objection against the prayer for bail.

On perusal of the record, it is ascertained that huge quantity of narcotic substance was recovered from the joint possession of the three accused persons.

Considering the statutory restrictions contained in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, we are not inclined to release the petitioner on bail.

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

Considering the long pendency of the case, learned trial Judge is requested to expedite the trial so that it may be concluded within ten months from the date of the communication of the order.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)