

13.01.2023
Sl. No.2
akd
[Rejected]

C. R. M. (NDPS) 1 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.12.2022 in connection with NDPS Case No.31 of 2020 arising out of NCB Crime No.12/NCB/KOL/2020 under Sections 8(c)/20(b)(ii)(c)/28/29 of the NDPS Act.

And

In Re: ***Md. Tahir***

... .. Petitioner

Mr. Dipanjan Chatterjee
Mrs. Shaila Afrin
Ms. Rafat Jahan

... .. for the petitioner

Mr. Rajdeep Majumder
Mr. Sagar Saha

... .. for the NCB

It is submitted on behalf of the petitioner that he is in custody for about 2½ years. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Advocate for the NCB opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and other incriminating documents implicate the petitioner in the possession of narcotic substance above commercial quantity. Trial has already commenced. 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 petitioner.

The application for bail is thus **rejected**.

Trial court is directed to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

