

10.01.2023.  
12.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 27 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 628 of 2020 arising out of Chinsurah P.S. Case No.381 of 2020 dated 27.11.2020 under Sections 21(c) of the NDPS Act.

In the matter of : Ranjit Mistri.

... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mr. Ranadeb Sengupta.

...for the State.

Petitioner is in custody for about two years and five months. There is delay in trial. He prays 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. 4.5 ltrs. of codeine mixture from the joint possession of the petitioner and the co-accused.

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.

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

In view of the protracted period of detention suffered by the petitioner, we request the trial court to conclude the trial as

expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting any unnecessary adjournments to either of the parties.

**(Ajay Kumar Gupta,J.)**

**(Joymalya Bagchi, J.)**