

16.01.2023.
08.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 54 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No. 44 of 2020 arising out of Chinsurah P.S. Case No.233 of 2020 dated 19.08.2020 under Sections 21(c) of the NDPS Act.

In the matter of : Sanjit @ Sanjib Biswas.

... Petitioner.

Mr. Rabi Sankar Chattopadhyay,
Mr. Sayan Chattopadhyay.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mrs. Sonali Dasrjee.

...for the State.

Petitioner is in custody for 881 days. He submits he has been falsely implicated due to his political affiliation. He renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail. He submits date has been fixed for recording prosecution evidence. Petitioner has criminal antecedents.

In response, learned Advocate for the petitioner submits he is on bail in other cases.

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 from the petitioner. Plea of false implication is a question of fact which requires to be thrashed out in the course of trial. Date has been fixed for recording prosecution evidence.

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.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)