

01.02.2023

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rejected

C.R.M.(NDPS) No. 144 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 755 of 2021 dated 23.10.2021 under Section 21(c) of the NDPS Act.

And

In Re : Wahidur Rahaman petitioner

Mr. Arnab Chatterjee

Mr. Jisan Hossain

... for the petitioner

Ms. Faria Hossain

Mr. Asif Dewan

... for the State

Learned Counsel for the petitioner submits he is in custody for more than one year. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. There are ample materials showing recovery of narcotic substance above commercial quantity i.e. 800 grams of Heroin from the petitioner.

Under such circumstances and in view of 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 consider the issue of framing of charge on the next date fixed and if it is unable to do so

positively within two months thereof and in the event charge is framed to proceed with the trial with utmost expedition and conclude the same without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)