

02.02.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 158 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 273 of 2020 arising out of Lalgola P.S. Case No.515 of 2020 dated 16.12.2020 under Sections 20(c)/29 of the NDPS Act.

In the matter of : Ajijur Rahaman & Anr.

... Petitioners.

Ms. Chandrima Debnath.

...for the Petitioners.

Mr. Madhusudan Sur, Id. A.P.P.,

Mr. Manoranjan Mahata.

...for the State.

Petitioners are in custody for two years. They pray for bail.

Learned Advocate for the State opposes the bail prayer. He submits date has been fixed for consideration of charge.

We have considered the materials on record. There are materials showing recovery of 400 gms. of heroin from petitioners.

In view of the aforesaid circumstances and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

Trial court is directed to consider the issue of framing of charge at the earliest without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

