

07.02.2023.
12.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 202 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 6 of 2022 arising out of Narayangarh P.S. Case No.31 of 2022 dated 06.02.2022 under Sections 20(b)(ii)(c) of the NDPS Act.

In the matter of : Sri Mukesh Digal.

... Petitioner.

Mr. Kuntal Goswami,
Md. Akram.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for one year. It is contended that he is a young person. He may be released on bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of narcotics above commercial quantity i.e. 87.6 kgs. of ganja from the joint possession of the petitioner and co-accused. Charge has already been framed and the date has been fixed for recording prosecution witnesses.

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 petitioner.

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

We request the trial court to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)