

07.02.2023.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 203 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 19 of 2022 arising out of Shyampukur P.S. Case No.30 of 2022 dated 23.03.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Sk. Tahid.

... Petitioner.

Mr. Suman De.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

Petitioner is in custody for 323 days. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. There are materials implicating the petitioner in the possession of narcotics above commercial quantity i.e. 263 gms. of heroin. Date has been fixed for consideration of charge.

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.

We request the trial court to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceeding to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

