

15.02.2023

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rejected

C.R.M. (NDPS) No. 255 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bankura Police Station Case No. 47 of 2022 dated 31.01.2022 under Section 21(b) of the NDPS Act and under Section 27 of Drugs & Cosmetics Act.

And

In Re : Sajamol Mondal petitioner

Mr. Soumik Ganguli
Mr. Supriyo Shasmol
... for the petitioner

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee
... for the State

Learned Counsel for the petitioner submits he is in custody for 380 days. It is also submitted there is delay in trial.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. 3.2 liters of codeine phosphate was recovered from the possession of the petitioner. Date for examination of the witnesses has been fixed. 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 expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

