

17.02.2023

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rejected

C.R.M. (NDPS) No. 279 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haringhata Police Station Case No. 253 of 2021 dated 05.09.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Atanu Mondal petitioner

Mr. Soubhik Mitter

Mr. Liton Mitter

Mr. Sumanta Das

Ms. Mallika Manna

... for the petitioner

Mr. T. D. Nandy

Mr. Antarikhya Basu

... for the State

Learned Counsel for the petitioner submits he is in custody for over one year and five months. No chemical examiner's report is filed which resulted delay in trial.

Learned Counsel for the State opposes the prayer for bail. Chemical examiner's report filed in Court is placed on record.

We have considered the materials on record. In view of the aforesaid development and materials on record showing recovery of narcotics above commercial quantity from the petitioner, we are not inclined to grant bail to him.

The application for bail is, thus, rejected.

Trial court is directed to proceed with the issue of consideration of charge at the earliest and in the event charge is

framed to conclude the same at the earliest without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)