

17.02.2023

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rejected

C.R.M. (NDPS) No. 289 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Islampur Police Station Case No. 136 of 2021 dated 04.06.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Balai Dariya @ Daria & Anr. petitioners

Ms. Trisha Rakshit

... for the petitioners

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

... for the State

Learned Counsel for the petitioners submits they are in custody for over one year and eight months. There is delay in trial. They pray for bail.

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. There are ample materials showing recovery of narcotics above commercial quantity from the possession of the petitioners. In view of the aforesaid circumstances and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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.)