

20.02.2023
Sl. No.11
akd
[Rejected]

C. R. M. (NDPS) 300 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.02.2023 in connection with Farakka Police Station Case No.84 of 2021 dated 22.04.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.74 of 2021)

And

In Re: ***Pratap Mondal & Anr.***

... .. Petitioners

Mr. Anisur Rahaman

... .. for the petitioners

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about one year and seven months. It is further submitted there is no progress in the matter since rejection of bail by this court in June, 2022.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 500 gms. of *Heroin*, which is above commercial quantity from the petitioners. Trial is in progress. Bail prayer of the petitioners was rejected earlier on merits. 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 petitioners.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

