

14.03.2023
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 333 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.02.2023 in connection with NDPS Case No.60 of 2021 corresponding to NCB Crime No.11/NCB/KOL/2021 dated 31.03.2021 under Sections 8(c)/20(b)(ii)(c) of the NDPS Act.

And

In Re: ***Sabuj Krishna Mondal***

... .. Petitioner

Ms. Swarnali Saha

... .. for the petitioner

Mr. Kallol Mondal
Mr. Tirthapati Acharyya

... .. for the NCB

It is submitted on behalf of the petitioner that he is in custody for about 715 days. Co-accused has been enlarged on bail.

Learned Advocate for the NCB opposes the prayer for bail and submits 31.68 kgs. of *Ganja* was recovered from the petitioner. His bail prayer was rejected earlier. Trial is in progress.

We have considered the materials on record. 31.68 kgs. of *Ganja* was recovered from the petitioner. No narcotic substance was recovered from the co-accused who has been enlarged on bail. Petitioner does not stand on the same footing with the said co-accused. Trial is in progress. 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.

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.)

