

23.02.2023.
22.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 337 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.52 of 2021 arising out of Gangnapur P.S. Case No.82 of 2021 dated 30.05.2021 under Section 21(c) of the NDPS Act.

In the matter of : Subrata Biswas @ Pradip.

... Petitioner.

Mr. Atis Kr. Biswas,
Ms. Jyoti Agarwal.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. 50 bottles of phensedyl syrup containing codeine phosphate were recovered from the petitioner. Date has been fixed for consideration of charge.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to consider the issue of framing of charge on the next date of hearing and if it is unable to do so positively within one month thereafter and in the event charge is framed to take the proceeding to its logical conclusion

without granting any unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)