

27.02.2023

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Ct. No. 29

CHC
REJECTED

C.R.M.(NDPS) 358 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **NDPS** Case No. **74** of **2021** arising out of Farakka Police Station Case No.84 of 2021 dated 22.04.2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Mihir Mandal

..... petitioner

Mr. Biswajit Tiwari

....for the petitioner

Mr. Ranadeb Sengupta

....for the State

Petitioner is in custody in excess of one year ten months.

The Court is informed that dates of trial were fixed by the trial court.

Commercial quantity of narcotic was seized from the possession of the petitioner and two others.

In such circumstances, the petitioner is unable to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.

The prayer for bail of the petitioner is rejected.

However, we request the learned trial Judge to dispose of the trial as expeditiously as possible and invoke provision of Section 309 of the Criminal Procedure Code.

State will ensure the presence of the witnesses so that, the dates fixed for trial are not adjourned.

C.R.M.(NDPS) 358 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)