

13.03.2023

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rejected

C.R.M. (NDPS) No. 371 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 284 of 2020 dated 09.08.2020 under Section 21(c) of the NDPS Act.

And

In Re : Shankar Mondal petitioner

Mr. Arnab Chatterjee
Mr. Dhanasree Biswas
Ms. Poulami Bose
Ms. Chandrima Debnath
... for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
... for the State

Learned Counsel for the petitioner submits he is in custody for two years and seven months. It is also submitted that there is delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the witnesses and seizure memorandum show recovery of 186 bottles of phensedyl syrup containing codeine phosphate from the petitioner. 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.

The application for bail is, thus, rejected.

In view of the period of detention suffered by the petitioner we direct the trial court to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)