

20.03.2023
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 416 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.03.2023 in connection with Nabagram Police Station Case No.122 of 2020 dated 10.04.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.120 of 2020)

And

In Re: ***Sujan Barman & Anr.***

... .. Petitioners

Mr. Arnab Chatterjee
Mr. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about three years.

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. 155 kgs. of *Ganja*, which is above commercial quantity from a Bolero pickup van. Petitioners were present in the van. Trial has already commenced. 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 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.)

