

27.03.2023.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 511 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.42 of 2019 arising out of Uttarpura P.S. Case No.573 of 2019 dated 08.11.2019 under Sections 21(b)(ii)(C) of the NDPS Act.

In the matter of : Bikash Sharma.

... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics above commercial quantity i.e. 2 ltrs. of codeine mixture from the possession of 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.

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

Trial court is requested to expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

Parties shall communicate the order to the trial court
for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)