

27.03.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 516 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.45 of 2020 arising out of Raiganj P.S. Case No.940 of 2020 dated 21.11.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Munna Mustak Sarkar @ Munna
Mostak Sarkar @ Munna Mustak Alam.
... Petitioner.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Kusal Kumar Mukherjee,
Mr. Diptengshu Basu.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta.
...for the State.

Petitioner is in custody for more than two years. He renews his bail prayer.

Learned Advocate for the State opposes the bail prayer. He submits bail prayer of the petitioner was rejected earlier on merits. Date has been fixed for recording prosecution evidence.

We have considered the materials on record. Materials on record show recovery of narcotics above commercial quantity from the shop of the petitioner. His bail prayer was rejected earlier on merits. Date has been fixed for recording prosecution evidence.

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 conduct the trial with utmost expedition 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)