

29.03.2023

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rejected

C.R.M. (NDPS) No. 555 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Daulatabad Police Station Case No. 230 of 2020 dated 05.11.2020 under Sections 21(c) /29 of the NDPS Act.

And

In Re : Alamgir Mandal petitioner

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

Mr. Saibal Bapuli, learned APP
Mr. Bibaswan Bhattacharya
... for the State

Learned Counsel for the petitioner submits he is in custody for more than two years. It is also submitted there is delay in trial. He prays for bail.

Learned Counsel for the State opposes the bail prayer and submits charge has already been framed.

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. 1200 bottles of Phensedyl Syrup above commercial quantity from a vehicle. Petitioner was driving the vehicle. Charge has already been framed.

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.

We request the trial court 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)