

19.04.2023
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rejected

C.R.M. (NDPS) No. 794 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Muchipara Police Station Case No. 162 of 2020 dated 01.09.2020 under Section 21(c) of the NDPS Act.

And

In Re : Mangal Mandal @ Mongal Mondal petitioner

Mr. Aniruddha Bhattacharyya
Mr. Oishik Chatterjee
... for the petitioner

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta
... 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 prayer for bail and submits charge has been framed.

We have considered the materials on record which prima facie establish recovery of 545 grams of Heroin from the petitioner. Charge has already been framed.

In view of the aforesaid circumstances and 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.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within two years from the

next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)