

27.04.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 881 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.04.2023 in connection with Jalangi Police Station Case No.388 of 2020 dated 11.11.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.245 of 2020)

And

In Re: ***Minarul Mondal***

... .. Petitioner

Mr. Partha Sarathi Das

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years and four months. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits trial is in progress.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 150 bottles of *phensedyl syrup*, which is above commercial quantity from a Toto van. Petitioner was the driver of the van. Four out of twelve witnesses have already been examined. 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 petitioner.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

