

17.05.2023
tkm/ct 28
sl no.14

C.R.M. (NDPS) 1004 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Lalgola PS case no. 825 of 2021 dated 20.12.2021 under sections 21(c)/29 of the NDPS Act read with section 14 of the Foreigners Act

And

In Re : Md. Uzzol

..... petitioner

Mr. S Adhya

..... for the petitioner

Mr. S Bardhan

Mr. Palash Ch Majhi

..... for the State

Petitioner submits that he had entered the country on a valid Visa. Allegations of possession of narcotics is false. He has been falsely implicated. He is suffering from various ailments. Hence, he renews his bail prayer.

Learned lawyer for the State opposes the bail prayer. He submits prayer for bail of the petitioner was rejected earlier on merits. Trial has already commenced.

We have considered the materials on record. Statements of witnesses and contemporaneous documents i.e seizure memo show recovery of 300 gms. of heroin from the petitioner. After rejection of bail by this court in June 2022, trial has commenced.

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.

Accordingly, prayer for bail is rejected.

However, we direct the trial court to expedite the trial and conclude the same at an early date. In view of the submission made

with regard to health condition of the petitioner we direct the correctional home authorities to extend necessary medical attention to him.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)