

05.07.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1073 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Nischinda P.S. Case No.66 of 2019 dated 22.04.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Anowar Ali Khan & Anr. ... Petitioners.

Ms. Ayana Dey.

...for the Petitioners.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Sonali Das.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum shows recovery of narcotics above commercial quantity i.e. 273.3 kgs. of ganja from the petitioners.

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 petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

We request the trial court to conclude the trial 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 this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)