

06.07.2023

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rejected

C.R.M.(NDPS) No. 1142 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarh Police Station Case No. 338 of 2021 dated 20.05.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Soyeb Aktar @ Goutam @ Soheb petitioner

Mr. Debasis Kar

Mr. Husen Mustafi

....for the petitioner

Mr. Saryati Datta

..... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 2 ltrs. of Codeine Phosphate from the joint possession of the petitioner and the co-accused.

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.

Trial court is directed to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)