

07.07.2023.
D/L 18
Ct.No.28
SKB
(Rejected)

C.R.M. (NDPS) 1243 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P. S. Case No.374 of 2022 dated 26.03.2022 under Sections 21c/29 of the NDPS Act (Spl. NDPS Case No.09 of 2022).

In the matter of : Rahul Sk and another

.... Petitioners

Mr. Subhendu Bhattacharjee,
Mr. Tapas Manna,
Ms. Dipannita Laha

... for the Petitioners

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Mashi

... for the State

Petitioners are in custody for 622 days. Charge has not yet been framed. They pray for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Prima facie, there are ample materials which show recovery of narcotic substances from the petitioners above commercial quantity.

Under such circumstances and in view of statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioners.

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

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)