

11.07.2023
Sl. No.22
akd
[Rejected]

C. R. M. (NDPS) 1235 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.07.2023 in connection with Kandi Police Station Case No.93 of 2020 dated 20.02.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.39 of 2020)

And

In Re: ***Mensar Sk. & Anr.***

... .. Petitioners

Mr. Manas Kumar Das

... .. for the petitioners

Mr. Antarikhya Basu

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 50 bottles of *codeine phosphate*, which is above commercial quantity from the petitioners. Trial is in progress. 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 petitioners.

The application for bail is thus rejected.

Trial court is directed to conduct the trial with utmost expedition by fixing schedules at regular intervals and conclude the same 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 a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

