

28.07.2023

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rejected

C.R.M.(NDPS) No. 1325 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 70/NCB/KOL/2021 dated 26.08.2021 under Sections 20(b)(ii)(c)/28/29 of the NDPS Act.

And

In Re : Prem Bin petitioner

Ms. Pramita Banerjee

....for the petitioner

Mr. Kallol Mondal

Mr. Pradyat Saha

..... for the NCB

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 23 kgs. of Ganja from the joint possession of the petitioner and the co-accused. Trial is in progress and two witnesses have already been examined.

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 expedite the trial and conclude the same as early as possible without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)