

20.09.2023
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 1553 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2023 in connection with Lalgola Police Station Case No.209 of 2022 dated 26.06.2022 under Section 21(c) of the NDPS Act. (NDPS Case No.158 of 2022)

And

In Re: ***Suman Sk. @ Samirul Islam***

... .. Petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for over 400 days. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits an earlier application preferred by the petitioner was withdrawn on 24.08.2023 as not pressed. Trial court was directed to conclude the trial at an early date.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 35 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. Less than a month ago bail prayer was withdrawn as not pressed and trial court was directed to conclude trial at an early date. Under such circumstances, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

