

17.11.2023
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 1750 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.10.2023 in connection with Serampore Police Station Case No.13 of 2021 dated 07.01.2021 under Section 21(c) of the NDPS Act. (NDPS Case No.01 of 2021)

And

In Re: ***Natanarayan Ghosh @ Jishu***

... .. Petitioner

Mr. Sudip Ghosh Chowdhury

... .. for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Ch. Majhi

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 2.7 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. Prosecution evidence is complete. Date has been fixed for examination of the petitioner under Section 313 of the Code of Criminal Procedure in March, 2024. Keeping in mind the heavy pendency in the trial court, we are unwilling to interfere with the schedules fixed by the said court. Hence, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.
4. Trial court is directed to positively examine the petitioner under Section 313 of the Code of Criminal Procedure on the date so fixed and conclude the trial within three months thereof.
5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

