

09.11.2023

tkm/ct 8
sl no. 18

C.R.M. (NDPS) 1841 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Burwan P.S case no. 346/2021 dated 5.12.2021 under section 21(C)/29 of the NDPS Act

And

In Re : Jayanta Mondal @ Ramu Mondal & Anr. petitioners

Mr. Tapodip Gupta

..... for the petitioners

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than 265 days. They pray for bail.

2. Learned advocates for the State oppose the prayer for bail.

3. We have considered the materials on record. The earlier prayer for bail of the petitioners was rejected on merit. There has been no change in the circumstances since then. Seizure memo discloses recovery of narcotic substances i.e. 14 bottles of phensedyl syrup containing codeine phosphate from the joint possession of the petitioners, which is above the commercial quantity.

4. In view of the aforesaid fact and the statutory restrictions under section 37 of the NDPS Act 1985, we are not inclined to grant bail to the petitioners at this stage.

5. The prayer for bail is therefore rejected. The Trial court is requested to expedite the trial and conclude the same at an early date.

C.R.M. (NDPS) 1841 of 2023 is thus disposed of.

(Raja Basu Chowdhury, J.)

(Biswajit Basu, J.)