

19.12.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1963 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Liluah P.S. Case No.163 of 2023 dated 14.04.2023 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

In the matter of : **Biswaraj Giri @ Raja.**
... Petitioner.

Mr. Milon Mukherjee, ld. Sr. Adv.,
Mr. Biswajit Manna.
...for the Petitioner.

Mr. Suman De.
...for the State.

1. Petitioner is in custody for about 249 days. He submits he has been falsely implicated. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of 637 kgs. of ganja from a vehicle. Petitioner was present in the vehicle.
4. In view of the aforesaid materials and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. We request the Trial Court to consider the issue of framing of charge at the earliest and in the event charge is

framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)