

01.03.2023

Sl. No.22

akd

[Rejected]

**IN THE HIGH COURT AT CALCUTTA**

**Circuit Bench at Jalpaiguri**

**C. R. M. (NDPS) 214 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.02.2023 in connection with New Jalpaiguri Police Station Case No.960 of 2020 dated 08.08.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.45 of 2020)

And

In Re: **Chandan Yadav**

... .. Petitioner

Mr. Biswarup Roy

... .. for the petitioner

Mr. Saikat Chatterjee

Mr. Chattu Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years and six months. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 28.6 kgs. of *Ganja*, which is above commercial quantity from the possession of the petitioner. In view of the aforesaid incriminating materials and the 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 at an early date preferably within one year from the next date

fixed for recording evidence without granting unnecessary adjournments to either of the parties.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**