

07.06.2023

Ct.No. 1

Item No. 17

Sb / Saswata

Rejected

***CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI***

C.R.M. (NDPS) 313 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 13.04.2023 in connection with Bagdogra PS case no. 79 of 2022 dated 31.01.2022 under Section 21 (c) of the NDPS Act, 1985.

And

In the matter of : **Abdul Rauf Biswas** ...petitioner

Mr. Arunava Paul

...For the petitioner

Mr. Niloy Chakraborty

Mr. Subhasish Misra

....For the State

This is an application for bail.

It is submitted on behalf of the petitioner that the accused was arrested on 31st January 2022 and not a single witness has been examined till the date of filing of the petition. However, subsequently, CSW-1 was examined in part.

In view of commencement of the trial, and considering the fact that narcotic substance above commercial quantity was recovered from the accused person, we are not inclined to grant bail to the petitioner.

The application for bail is accordingly ***rejected.***

However, we request the Learned Judge, Special Court under NDPS Act, 2nd Court at Siliguri to expedite

the trial by invoking Section 309 of the Code of Criminal Procedure Code.

CRM 313 of 2023 is **disposed of**.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)