

40. 05.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (NDPS) 402 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **CR (NDPS) Case No. 06 of 2022** arising out of **Bagdogra Police Station Case No. 05 of 2022** dated **02.01.2022** under Sections **21(c)** of the NDPS Act, 1985.

And

In the matter of: - **Tofajul Seikh**

...petitioner.

Mr. Sourav Ganguly, Adv.,
Mr. Anirban Banerjee, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Biswarup Roy, Adv.

...for the State.

Commercial quantity of contraband items was recovered from the petitioner. His prayer for bail was rejected by a co-ordinate Bench by an order dated February 2, 2023, passed in CRM (NDPS) 454 of 2022.

In view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner's prayer for bail.

However, by the earlier order dated February 2, 2023, the co-ordinate Bench had directed the learned trial Court to expedite the trial and dispose it of as expeditiously as possible

and preferably within one year from the date of that order. We request the learned trial Court to adhere to the aforesaid order.

The application for bail being CRM (NDPS) 402 of 2023 is, accordingly disposed of.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)