

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

18.08.2023
Court No.1
Item. 16
(Suvendu)

CRM(NDPS) 585 OF 2023

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Matigara Police Station Case No. 430 of 2021 dated 31.05.2021 under Section 21(c) of the NDPS Act.

And

In the matter of: Ansarul Momin

.Petitioner.

Mr. Sudhindra Das

For the Petitioner.

Mr. Ujjwal Luksom
Ms. Namrata Das

For the State.

1. It is submitted on behalf of accused petitioner that he is languishing behind the bar since a considerable period of time. It is further submitted that there is no substantial progress of the trial after submission of the charge-sheet. So, he prays for bail of the accused petitioner.

2. Learned counsel appearing for the State submits that there are serious allegation against the accused petitioner and commercial quantity of contraband articles were recovered from the possession of the accused petitioner. So, he prays for rejection of the prayer for bail.

3. We have considered the rival submissions advanced on behalf of the parties and perused the materials on record at the time of hearing.

4. It appears from the Case Diary that on 2nd August, 2023, an application for bail of the accused petitioner was dismissed as the petitioner was not interested in pursuing that application.

5. We are hence of the view that the materials placed before us and the entire scenario involved in the matter is not sufficient to rebut the statutory restriction under Section 37 of the NDPS Act.

6. The prayer for bail is thus rejected.

7. CRM(NDPS) 585 of 2023 is accordingly rejected and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)