

11.01.2024
Sl. No.21
akd
[Rejected]

C. R. M. (NDPS) 52 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.12.2023 in connection with S.T.F. Police Station Case No.25 of 2022 dated 23.08.2022 under Sections 22(c)/23(c)/29 of the NDPS Act. (NDPS Case No.32 of 2022)

And

In Re: ***Faiz Alam***

... .. Petitioner

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdous
Mr. Mofakkerul Islam
Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Ms. Sreyashee Biswas

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for over one year. It is further submitted no narcotics was recovered from his possession. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Narcotics was dispatched through a courier in the name of the petitioner. He was present at the spot when the contraband was recovered from co-accused viz. Md. Junaid @ Baba. These materials show petitioner abetted the illegal transaction in narcotics. Trial is in progress. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.
5. Trial court is directed to expedite the trial and conclude the same at an early date.

6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)