

18.01.2024

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rejected

C.R.M.(NDPS) No. 109 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 07/NCB/KOL/2022 dated 19.02.2022 under Section 21(c) of the NDPS Act and subsequently complaint has been filed under Sections 21(c)/23(c)/28/29 of the NDPS Act.

And

In Re : Palan Haldar petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Anirban Mitra
Mr. Pradyat Saha

... for the NCB

1. Learned Counsel for the petitioner submits he is in custody for one year and eleven months. It is also submitted charge has not yet been framed. He prays for bail.

2. Learned Counsel for the NCB opposes the prayer for bail and submits BSF personnel apprehended the petitioner with 410 grams of Heroin. He is involved in transborder smuggling of narcotics.

3. We have considered the materials on record. 410 grams of Heroin was recovered from the petitioner. Date has been fixed for consideration of charge. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. Trial court is directed to consider the framing of charge at the earliest without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)