

30.01.2024
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 185 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2024 in connection with Dalkhola Police Station Case No.151 of 2022 dated 14.05.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.41 of 2022)

And

In Re: ***Md. Juned***

... .. Petitioner

Md. Nauroz Rahber

... .. for the petitioner

Mr. Koushik Kundu

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 300 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner and co-accused. Bail prayer of co-accused viz. Md. Sanjar Alam was rejected on merits as well as on the score of delay in trial in September, 2023 in CRM (NDPS) 1468 of 2023. By the said order trial court was directed to conclude trial preferably within one year. The said time frame has not expired as yet. 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.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

