

05.02.2024.  
13.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 227 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.34 of 2022 arising out of Jalangi P.S. Case No.30 of 2022 dated 24.01.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Sukur Mondal @ Sukur Ali Mondal.**  
... Petitioner.

Mr. Ashok Das,  
Mr. Sourav Mukherjee,  
Ms. Hasi Jana.

...for the Petitioner.

Mr. Sudip Ghosh, Id. Sr. Govt. Adv.,  
Ms. Eshita Dutta.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner has criminal antecedents. While in custody in another case, he used to keep connection with his gang and illegally interacted with time through mobile phone and continued dealing in narcotics. Narcotics recovered from co-accused is above commercial quantity. Bail prayer of the petitioner was rejected earlier on merits. Date has been fixed for consideration of charge on 27<sup>th</sup> February, 2024.
3. Hence, we are not inclined to grant bail to the petitioner at this stage.
4. Accordingly, the prayer for bail of the petitioner is rejected.
5. We request the trial court to consider the issue of framing of charge on the date fixed and if it is unable to do so,

positively within one month thereafter and in the event charge is framed to take the proceeding to its logical conclusion at the earliest.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**