

CRM (NDPS) 383 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Special** Case No. **12 of 2022 (CIS No. 16 of 2022)** under Sections **21(c)/22(c)/23/25/29** of NDPS Act.

- A n d -

In the matter of : Palash Chandra Sarkar

.... Petitioner.

Mr. Ayan Bhattacharyya,
Mr. Subhendu Bhattacharjee,
Ms. Joyeeta Adhikar,

... For the Petitioner.

Mr. Arun Kr. Maity,
Mr. Proloy Bhattacharya,
Ms. Tanusree Ghosh,

... For the NCB.

From the seizure list that is produced today, we find that 3392 bottles of codeine based cough syrup was recovered along with 1996 ampouls CUPIGESIC injection containing buprenorphin.

The petitioner's presence at the spot from where recovery was made, is noted in the seizure list. The petitioner of course says that he was there by coincidence. We find this difficult to believe.

In view of the huge amount of contraband involved, keeping in mind the restrictions in Section 37 of the NDPS Act and the *prima facie* involvement of the petitioner in the alleged offence, although the petitioner is in custody for about two years and five months, we are not inclined to grant bail to him at this stage.

CRM (NDPS) 383 of 2024 is, thus, dismissed.

However, in view of the petitioner's fairly lengthy detention, we direct the learned Trial Court to expedite the trial to the

maximum extent possible and conclude the same at an early date and definitely within eight months from the date of communication of this order by the parties to the learned Trial Court.

In the event, the learned Trial Court does not conclude the trial within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)