

15.03.2024

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rejected

C.R.M.(NDPS) No. 413 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 20/NCB/KOL/2023 dated 18.06.2023 under Sections 8(c)/9(A)/17(c)/25A of the NDPS Act.

And

In Re : Feku Mandal & Anr. Petitioners

Mr. Arup Kumar Bhowmick

....for the petitioners

Mr. Imran Siddiqui

Mr. Sourav Mondal

..... for the NCB

1. Learned Counsel for the petitioners submits they are in custody for eight months. It is also submitted they have been falsely implicated. They pray for bail.

2. Learned Counsel for the NCB submits report. Let the report be kept on record. He submits charge has already been framed. He assures this Court trial shall be completed within eighteen months from the next date fixed before the trial court.

3. We have considered the materials on record. Allegations involve recovery of 2.650 kgs. of Opium from the house of the petitioners. Charge has already been framed. Prosecution assures to conclude the trial within eighteen months from the next date fixed before the trial court. Under such circumstances and in view of statutory restrictions under

Section 37 of the NDPS Act we are not inclined to grant bail to the petitioners.

4. Application for bail is, thus, rejected.

5. Investigating officer is present in Court. His personal appearance is noted and dispensed with.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)