

03.05.2024

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as/sdas
rejected

C.R.M. (NDPS) No. 764 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bantra Police Station Case No. 308 of 2021 dated 31.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Sandeep Pandey petitioner

Ms. Devi Priya Mitra

... for the petitioner

Mr. Binay Panda

Mr. Saptarshi Chakraborty

... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Trial is at a matured stage. Date has been fixed for examination of the witnesses under Section 313 of the Code of Criminal Procedure. Evidence on record shows recovery of 2.3 liters of codeine mixture which is above commercial quantity from the petitioner. 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 petitioner.

3. The application for bail is, thus, rejected.

4. Trial court is directed to expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for examination of the witnesses under Section 313 of the Code of Criminal Procedure without granting unnecessary adjournment to either of the parties.

5. Parties shall communicate the order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)