

CRM (NDPS) 990 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hariharpara Police Station** Case No. **112 of 2023** dated **17.03.2023** under Sections **20(b)(ii)(C)/29** of the NDPS Act.

- A n d -

In the matter of : Serful Faraji @ Sariful Faraji

.... Petitioner.

Mr. Tapodit Gupta,

... For the Petitioner.

Mr. Arijit Ganguly,

Mr. D. Das,

... For the State.

The petitioner says that he is in custody for one year and three months. Charge is yet to be framed.

Learned Advocate for the State says that today is the date fixed for framing of charge. He also draws to our attention an order dated March 21, 2024 passed by a coordinate Bench in CRM (NDPS) 536 of 2024, whereby the prayer for bail of a co-accused person was rejected.

144 kgs of ganja is involved. The same is alleged to have been seized from the joint possession of the co-accused persons, who were all in the vehicle from which the contraband was seized. In view of the restrictions in Section 37 of the NDPS Act and also in view of the fact that the prayer for bail of a similarly circumstanced co-accused person has been turned down by this Court on March 21, 2024, we are not inclined to entertain the petitioner's application for bail.

CRM (NDPS) 990 of 2024 is, thus, dismissed.

However, since the petitioner has been in custody for a considerable period of time, we requested the learned Trial Court to consider the issue of framing of charge at the earliest and if charges are framed, to carry the trial to its logical conclusion as expeditiously as possible.

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.)