

09.01.2024
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 22 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.12.2023 in connection with Baguihati Police Station Case No.608 of 2021 dated 11.12.2021 under Section 21(c) of the NDPS Act.

And

In Re: ***Sayan Halder & Anr.***

... .. Petitioners

Mr. Priyajit Kundu
Ms. Snigdha Saha

... .. for the petitioners

Mr. Imran Ali
Mr. Santanu Deb Roy

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 395 days. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits bail prayer of petitioner no.1 was rejected earlier.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 2.3 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioners. Bail prayer of petitioner no.1 was rejected earlier on merits. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.
4. The application for bail is thus rejected.
5. Trial court is directed to expedite the trial and conclude the same at an early date.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

