05.01.2024
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rejected

C.R.M.(NDPS) No. 7 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 492 of 2022 dated 11.12.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Rabiul Sekh .... petitioner

Mr. Snehansu Majumder
....for the petitioner

Mr. Ranadeb Sengupta
... for the State

1. Learned Counsel for the petitioner submits he is in custody for 390 days. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. 144 bottles of Phensedyl Syrup containing Codeine Phosphate was recovered from the possession of the petitioner. Charge has also been framed. 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.

4. Application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**