

24.05.2024

Sl. No.4
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 88 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2024 in connection with New Jalpaiguri Police Station Case No.700 of 2023 dated 19.07.2023 under Sections 20(b)(ii)(c)/23(c) of the NDPS Act. (NDPS Case No.66 of 2023)

And

In Re: ***Pankaj Basak @ Totan***

... .. Petitioner

Mr. Jagriti Mishra
Mr. Naseer Ali
Ms. Ananya Bhattacharya
Ms. Mrinmayee Das

... .. for the petitioner

Mr. Sourav Ganguly

... .. for the State

1. FSL report is placed on record. Report shows presence of *Ganja* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 25.4 kgs. of *Ganja*, which is above commercial quantity from the petitioner. Police report was filed within stipulated time. Under such circumstances, we are of the opinion petitioner is neither entitled to statutory bail nor bail on merits.
3. The application for bail is thus rejected.
4. In view of the fact petitioner is in custody for about a year, we direct the trial court to frame charge at the earliest and conclude the trial within one year from the date of framing of charge without granting unnecessary adjournment to either of the parties. Parties shall cooperate with the trial court in this regard.

5. Parties are directed to communicate this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)