

29.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Barasat** Police Station **Case No.541**
Sl.29 **of 2019** dated **28.09.2019** under Section **21(C)** of the Narcotic Drugs
Ct.28 and Psychotropic Substances Act;

And

In re: Litu Mondal @ Joy

... petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha

... for the petitioner.

Md. Anwar Hossain
Ms. Sreyashee Biswas

...for the State.

The learned advocate for the petitioner submits that the petitioner is detained in custody for one year five months and till date charge has not been framed and the next date is fixed on 9th April, 2020. Additionally, the learned advocate submits that considering the period of detention, the petitioner may be released on bail on any stringent condition.

The learned advocate for the State opposes the petitioner's prayer for bail and submits that commercial quantity of codeine mixture (5.5 liters) were seized from the possession of the petitioner.

Having regard to the fact that commercial quantity of contraband was seized from the petitioner, the provisions of Section 37 of the NDPS Act are attracted. As such, the petitioner is not entitled to be released on bail.

However, the learned Trial Court is directed to overcome the stage of consideration of charge on the next date that is 9th April, 2021 and expedite the progress of the trial.

Accordingly, the application for bail being CRM No.11225 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)