

10.12.2020
Sl. No.35
akd
[Rejected]

C. R. M. 10187 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.11.2020 in connection with Haroa Police Station Case No. 427 of 2018 dated 16.08.2018 under Section 21(c) of the NDPS Act.

And

In Re: ***Abdul Chaptar Gazi @ Abul Chaptar Gazi***

... .. Petitioner

Mr. Arindam Jana .. Advocate

Mr. Shamin Ahmed .. Advocate

... .. for the petitioner

Mr. Sanjay Bardhan .. Advocate

Mr. Palash Chandra Majhi .. Advocate

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that there is delay in conclusion of trial.

Learned advocate appearing for the State opposes the prayer for bail and submits that petitioner was found with narcotic substance above commercial quantity. He further submits that delay is due to prevailing pandemic conditions.

Materials on record disclose recovery of narcotic substance above commercial quantity from the petitioner. Although it is contended that recovery was not witnessed by independent persons, we do not wish to enlarge the petitioner on bail at this stage as trial could not progress as per direction of this court due to prevailing pandemic conditions. Hence, the prayer for bail of the petitioner is rejected.

Trial court is directed to conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

