

14.12.2020.
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as
(Rejected)

C.R.M. 10316 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.02 of 2014 under Section 20(b)(ii)C of the N. D. P. S. Act.

In the matter of : Sanjau Singh.

... Petitioner.

Mr. Jaydeep Kanta Bhowmik.

...for the Petitioner.

Mr. Kaushik Dey.

...for the U.O.I.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he is in custody for more than 6 years and he prays for bail on the ground of delay in the conclusion of trial.

Learned Advocate appearing for the Union of India opposes the prayer for bail and submits that the petitioner played active role in transportation of narcotic substance i.e. 9300 kgs. of ganja and prayer for bail of co-accused was rejected by a Co-ordinate Bench of this Court. Petitioner was the driver of the vehicle carrying ganja. Dilatory tactics were adopted by the petitioner and the co-accused persons to protract the trial.

We have considered the materials on record. Allegations are grave and prima facie implicate the petitioner in transportation of narcotic substance above commercial quantity. That apart, petitioner and co-accused resorted to subterfuges to delay the proceeding which would appear from

the order rejecting bail of co-accused in C.R.M.4320 of 2020 passed by a Co-ordinate Bench of this Court. Hence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

We direct the trial court to conduct the trial on a day to day basis and conclude the same at an early date preferably within three months from the next date fixed for recording evidence without granting unnecessary adjournment to iether of the parties.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)