

CRM 2290 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No.495 of 2017 dated 29-06-2017 under Section 15(C) of NDPS Act.

- A n d -

In the matter of : Muslim SK @ Hossain

.... Petitioner.

Mr. Kazi Mokhlasur Rahman

... For the Petitioner.

Mr. Sanjoy Bardhan,

Mr. Palash Chandra Maity

... For the State.

The charge against the petitioner is under Section 15(C) of the NDPS Act. Apparently, poppy straw was recovered from the husking mill of the petitioner. The petitioner says that he has been in custody for about four years and one month. There is no real likelihood of the trial being concluded at an early date.

We have seen the material in the Case Diary. Witness action is in progress. Two out of seven witnesses have been examined. There is also a statutory restriction in Section 37 of the NDPS Act and it is not in dispute that commercial quantity was recovered. There is also rejection by a coordinate Bench of this Court on an earlier occasion vide order dated June 18, 2020 in CRM 4180 of 2020.

In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM 2290 of 2021 is, thus, **dismissed**.

However, in view of the protracted detention of the petitioner, we request the learned trial Court to expedite the trial and bring the same to its logical conclusion as soon as the business of the court may permit.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)