

29.07.2021  
Item no.58.  
Court No.32.  
AB  
(Rejected)

**(Via Video Conference)**

**CRM No. 3908 of 2021**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 04.06.2021 in connection with Kaliachak Police Station Case No.517 of 2019 Dated 17.08.2019 under Sections 21(C)/29 of the NDPS Act

And

**In the matter of : Abdul Hoque Biswas & Anr.**

.....Petitioners.

Mr. S. Bhattacharya .....for the Petitioners.

Mr. Rana Mukherjee, Ld. APP,  
Ms. Sujata Das,  
Ms. Debjani Sahoo .....for the State.

It is submitted on behalf of the petitioners that they are in custody for a considerable period of time after being charged with an offence punishable under Section 21(C)/29 of the NDPS Act. There has not been any progress in the trial of the case. Hence, the petitioners renew their prayer for bail after it was rejected by a Coordinate Bench of this Court on 22.06.2020 vide CRM No.4258 of 2020.

The State opposes the prayer for bail and refers to the case diary.

Admittedly, narcotic substance above commercial quantity was recovered from the joint possession of the petitioners and another accused. It is a fact that the petitioners are in custody for more than 2 years. The State submits that due to the pandemic, the trial has not proceeded further after June, 2021. However, in view of the statutory restriction under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

The prayer for bail stands rejected.

In view of the period of detention of the petitioners, we request the learned Trial Court to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

C.R.M. No.3908 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

**(Suvra Ghosh, J.)**

**(Arijit Banerjee, J.)**