

(Via Video Conference)

CRM 4129 of 2021

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

- A n d -

In the matter of : Abdul ChaptarGazi @ Abdul Chaptar Gazi
.... Petitioner.

A. Chakraborty,
Mr. S. S. Saha,

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta,

... For the State.

Commercial quantity of contraband item was recovered from the possession of the petitioner. In view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to entertain the petitioner's prayer for bail.

The petitioner says that by an order dated December 10, 2020 passed in CRM 10187 of 2020, a coordinate Bench of this court directed the learned Court below to conclude the trial as expeditiously as possible and preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties. However, the trial has not been concluded.

The State says that witness action is in progress. September 20, 2021 has been fixed as the next date for recording evidence.

In view of the fact that the petitioner is in custody for about 3 years 1 month, we request the learned Court below to expedite the trial and bring the same to its logical conclusion as soon as possible and preferably within a period of one year from date.

The prayer for bail is rejected.

CRM No. 4129 of 2021 is accordingly dismissed.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)