

CRM 4307 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Habra Police Station** Case No. **793 of 2018** dated **05.09.2018** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Ashit Saha @ Asit

.... Petitioner.

Mr. Moyukh Mukherjee,
Mr. S. Mukherjee,
Mr. S. Mondal,

... For the Petitioner.

Mr. Sudip Ghosh,
Mr. B. Banerji,
Mr. A. K. Datta

... For the State.

The petitioner renews his prayer for bail which was rejected by a coordinate Bench vide order dated February 12, 2019 passed in CRM 11476 of 2018.

Commercial quantity of codeine mixture was recovered from the petitioner. In view of the statutory restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to grant bail to the petitioner.

However, the petitioner has been in custody for about three years now. Witness action is in progress. There is an order of this Court dated December 9, 2019 passed in CRR 3597 of 2019 requesting the Learned Court below to expedite the matter and to bring the entire proceeding to a conclusion within a reasonable time.

We once again request the learned Court below to expedite the trial to the extent possible and bring the case to

its logical conclusion as soon as the business of the Court may permit and preferably within a period of six months from date.

The prayer for bail is rejected.

CRM No. 4307 of 2021 is accordingly dismissed.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)