

CRM 4495 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kandi Police Station** Case No. **208 of 2018** dated **14.06.2018** under Section **21(c)** of the NDPS Act.

- A n d -

In the matter of : Dalim Sk @ Nurul Islam

.... Petitioner.

Mr. A. Rahaman,

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta,

... For the State.

Commercial quantity of codeine mixture 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 has been in custody for about 3 years 2 months and 16 days. The petitioner's prayer for bail was rejected earlier by a coordinate Bench on May 12, 2020 passed in CRM 3074 of 2020. While dismissing the petitioner's application, the coordinate Bench had directed the trial Court to expedite the proceedings within a reasonable period of time after the normal functioning of the Court, preferably by 31st December, 2020.

The petitioner says that no significant progress has been made in the trial.

From a report filed in Court today on behalf of the State, we find that charge was framed on December 20, 2018.

Thereafter, six witnesses have been examined. September 9, 2021 has been fixed as the date for recording of further evidence. Let the report be taken on record.

In view of the protracted detention of the petitioner, we request the learned Trial Court to expedite the trial to the extent possible and conclude the same as soon as the business of the Court may permit and preferably within a period of one year from date.

Accordingly, the application for bail being CRM 4495 of 2021 is dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)