

CRM 4603 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.638 of 2017 dated 14-07-2017 under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Balai Moral

.... Petitioner.

Mr. Angshuman Chakraborty

... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

... For the State.

Commercial quantity of contraband item was recovered from the possession of the petitioner. In view of the restrictions in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail.

The petitioner says that he is in custody for about four years and one month. Charge was framed on 19th February, 2019. Since then, not a single witness has been examined. Several dates were fixed by the learned trial Court, but nothing happened. It is anybody's guess as to when the trial will conclude. In effect, the petitioner is being detained without the trial being held.

The State opposes the prayer for bail.

The petitioner's prayer for bail is not acceded to. However, in view of the very lengthy detention of the petitioner, we request the learned trial Court to make all efforts to expedite the trial and conclude the same as soon as possible and preferably within a period of one year from date.

The application for bail being CRM 4603 of 2021 is,
thus, **dismissed**.

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

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**