

CRM 4628 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Samserganj Police Station** Case No. **148 of 2017** dated **06.05.2017** under Section **20(b)(ii)** of the NDPS Act.

- A n d -

In the matter of : Jamil Akhtar @ Jamil Aktar @ Biplab
.... Petitioner.

Mr. P. Banerjee,

... For the Petitioner.

Mr. R. Mukherjee, Ld. APP,
Mr. S. Das,
Mr. D. Sahu,

... For the State.

The petitioner renews his prayer for bail which was rejected by an order dated August 2, 2019 passed in CRM 11512 of 2017. He says that he is in jail for more than four years. While rejecting his prayer for bail, this Court had directed the trial to be expedited. Only six witnesses have been examined so far.

Commercial quantity of ganja is alleged to have been recovered from the exclusive possession of the petitioner. In view of the restrictions in Section 37 of the Narcotic drugs and Psychotropic Substances Act, 1985, we are not inclined to entertain the petitioner's prayer for bail.

However, we appreciate that the petitioner has been in custody for a very long period of time, in excess of four years. We are told that in all there are ten witnesses out of whom six have been examined.

We request the Learned Trial Court to spare no efforts to expedite the trial and bring the same to a conclusion as soon as

possible and preferably within six months from the next date of hearing. It appears from the orders of the Learned Trial Court that the prosecution has not been diligent in producing its witnesses. The State is directed to fully cooperate in the trial so that the same can be concluded within six months from the next date of hearing.

Accordingly, the application for bail being CRM 4628 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)