

CRM(NDPS) No.176 of 2022

Via video conference

28.02.22

(S.R.)

Sl.26

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **N. Case No.116 of 2018** (NDPS/2535/2018) under Sections 22(C)/29 of the NDPS Act;

And

In re: Ismail Isabuddin @ Ismail & Anr.

... petitioners.

Mr. Sanat Kr. Das

Mr. Sujan Chatterjee

Mr. Santanu Das

... for the petitioners.

Mr. Kaushik Dey

... for the State.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the joint possession of the petitioners. As such, the statutory restrictions are clearly attracted. In view thereof, the petitioners' prayer for bail is refused at this stage.

Mr. Das, learned advocate appearing for the petitioners, however, has expressed his anguish and inconvenience, as regards the delay in the progress of the trial. He submits that the petitioners have already suffered long incarceration for about 1345 days. Answering our query, Mr. Dey, learned advocate appearing for the State informs this Court that charges have already been framed and that there are eight witnesses. In view thereof, we direct the learned court below to expeditiously conduct the trial and, if necessary, upon resorting to the steps available under Section 309 of the Code of Criminal Procedure so that logical conclusion of the case may be reached at the earliest, preferably within a period of eight months from the date of communication of this order.

The application for bail being CRM(NDPS) No.176 of 2022 is,

accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)