

09.06.2022
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 460 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.05.2022 in connection with Madhyamgram Police Station Case No. 470 of 2017 dated 28.08.2017 under Section 20(b)(ii)(c) of the NDPS Act.

And

In Re: ***Himangsu Dutta @ Mandela Buro***

... .. Petitioner

Mr. Angshuman Chakraborty

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner he is in custody for about four years and eight months. It is further submitted there is slow progress in the matter.

Learned advocate appearing for the State opposes the prayer for bail and submits trial is in progress and prosecution witnesses are being examined.

We have considered the materials on record prima facie disclosing recovery of narcotic substance above commercial quantity from the possession of the petitioner. In view of the aforesaid fact and bearing in mind the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

However, keeping in mind the protracted period of detention suffered by the petitioner, we direct the trial court to expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

