

18.07.2022.
07.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 797 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.130 of 2017 corresponding to NCB Crime No.29/NCB/KOL/2017 under Sections 20(b)(ii)(c) of the N. D. P. S. Act.

In the matter of : Jakir Hussain @ Jakir Hossain.
... Petitioner.

Mr. Angshuman Chakraborty.
...for the Petitioner.

Mr. Kallol Mondal.
...for the NCB.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about five years and two months. He prays for bail on the ground of inordinate delay.

Learned Advocate for the NCB opposes the prayer for bail and submits trial is in progress. Two witnesses have already been examined.

We have considered the materials on record. Deposition of witnesses recorded in course of trial disclose involvement of the petitioner in dealing in narcotic substance above commercial quantity i.e. 55 kgs. of ganja. However, there is delay in conducting trial of the case.

Balancing the gravity of the offence and the period of detention suffered by the petitioner, we are of the opinion

though he may not granted bail at this stage, trial requires to be completed within a time schedule without delay.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is directed to conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

Parties shall co-operate with the trial court in that regard.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)