

23.08.2022
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 949 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.08.2022 in connection with NCB Crime No. 01/NCB/KOL/2018 dated 04.01.2018 under Sections 21(c)/28/29 of the NDPS Act.

And

In Re: ***James Kevin Edward***

... .. Petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Sagar Saha

... .. for the UOI (NCB)

It is submitted on behalf of the petitioner that he is in custody for over four years. It is further submitted there is slow progress in the trial of the case.

Learned advocate appearing for the NCB opposes the prayer for bail.

We have considered the materials on record. There are ample materials implicating the petitioner in dealing in narcotic substance above commercial quantity. Under such circumstances 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, in view of 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 adjournments to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

