

22.09.2022
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1076 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.09.2022 in connection with Berhampur Police Station Case No. 418 of 2020 dated 07.05.2020 under Sections 22(c)/29 of the NDPS Act.

And

In Re: ***Diken Sk. & Ors.***

... .. Petitioners

Mr. Golam Mostafa
Mr. Samirul Sardar

... .. for the petitioners

Mr. T. D. Nandy
Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioners that bail was granted to petitioner no.3 viz. Bablu Sk. @ Saddam Hossain by this court. Subsequently, in CRM 8480 of 2020 bail granted to petitioner no.3 was cancelled. Prayer for bail of petitioner no.1 viz. Diken Sk. was also turned down.

Petitioners are in custody for about two years and four months. It is submitted there is slow progress in the trial of the case.

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

We have considered the materials on record including the seizure list and arrest memos. The aforesaid documents show recovery of narcotic substance above commercial quantity from the possession of the petitioners. Their bail prayer was rejected earlier on merits. Trial is in progress. Under such circumstances, we are not inclined to grant bail to the petitioners.

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

Trial court is directed to conduct the trial as expeditiously as possible and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)